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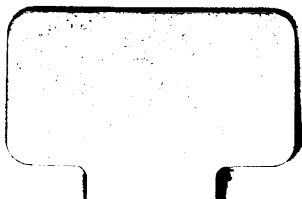
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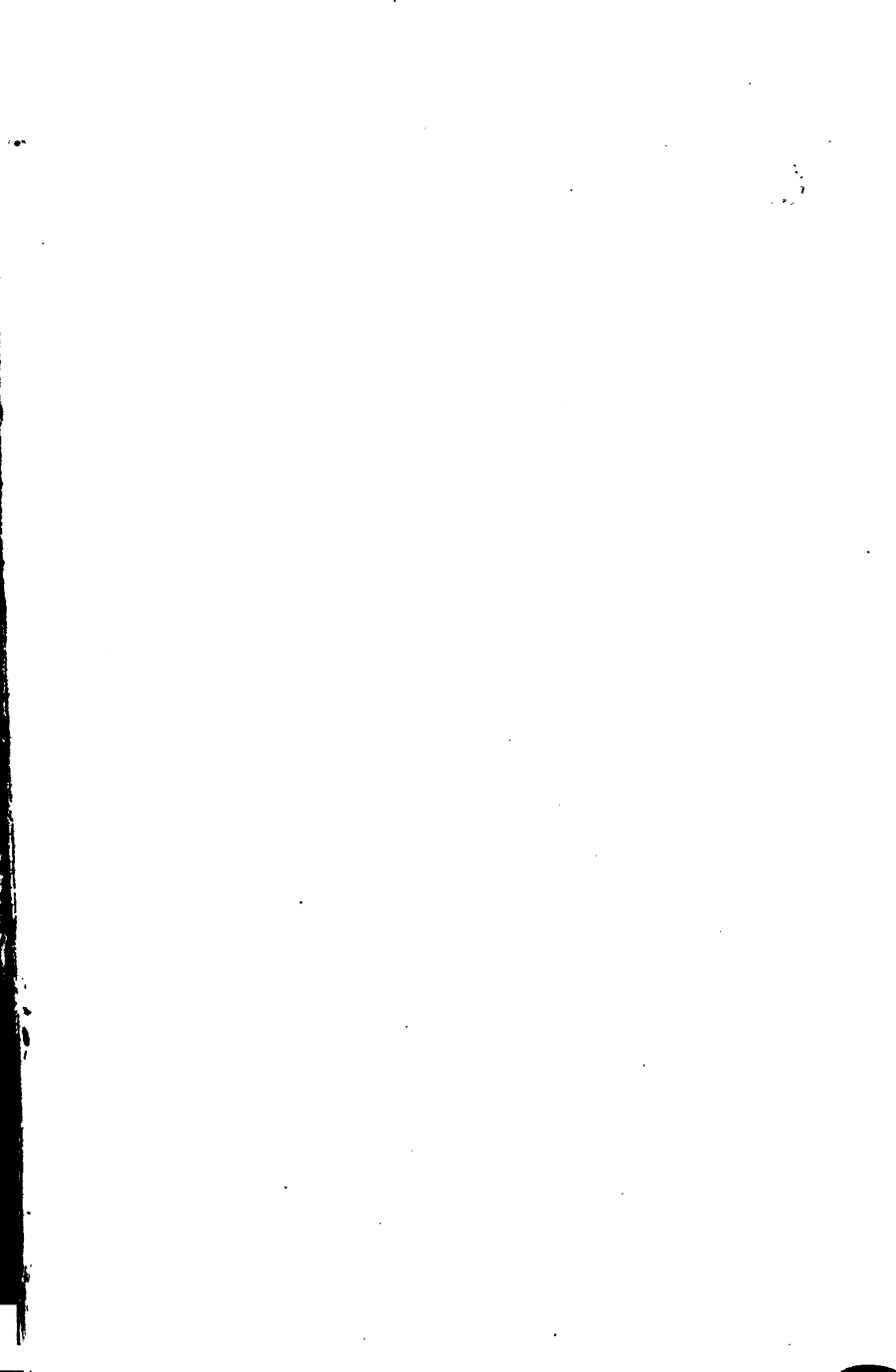
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The Battles of Labor

Being the William Levi Bull
Lectures for the Year 1906

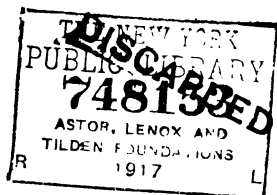
By

CARROLL D. WRIGHT, Ph. D., LL. D.

*Former United States Commissioner of Labor,
President of Clark College, and Author
of "Industrial Evolution of the United States,"
"Outline of Practical Sociology," etc.*



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The Letter Establishing the Lectureship

Bishop Whitaker presented the Letter of Endowment of the Lectureship on Christian Sociology from Rev. William L. Bull as follows :

For many years it has been my earnest desire to found a Lectureship on Christian Sociology, meaning thereby the application of Christian principles to the Social, Industrial, and Economic problems of the time, in my Alma Mater, the Philadelphia Divinity School. My object in founding this Lectureship is to secure the free, frank, and full consideration of these subjects, with special reference to the Christian aspects of the question involved, which have heretofore, in my opinion, been too much neglected in such discussion. It would seem that the time is now ripe and the moment an auspicious one for the establishment of this Lectureship, at least tentatively.

After a trial of three years, I again make the offer, as in my letter of January 1, 1901, to continue these Lectures for a period of three years, with the hope that they may excite such an interest, particularly among the undergraduates of the Divinity School, that I shall be justified, with the approval of the authorities of the Divinity School, in placing the Lectureship on a more permanent foundation.

I herewith pledge myself to contribute the sum of six hundred dollars annually, for a period of three years, to the payment of a lecturer on Christian Sociology, whose duty it shall be to deliver a course of not less than four lectures to the students of the Divinity School, either at the school or

elsewhere, as may be deemed most advisable, on the application of Christian principles to the Social, Industrial, and Economic problems and needs of the times ; the said lecturer to be appointed annually by a committee of five members : the Bishop of the Diocese of Pennsylvania ; the Dean of the Divinity School ; a member of the Board of Overseers, who shall at the same time be an Alumnus ; and two others, one of whom shall be myself and the other chosen by the preceding four members of the committee.

Furthermore, if it shall be deemed desirable that the Lectures shall be published, I pledge myself to the additional payment of from one to two hundred dollars for such purpose.

To secure a full, frank, and free consideration of the questions involved, it is my desire that the opportunity shall be given from time to time to the representatives of each school of economic thought to express their views in these Lectures.

The only restriction I wish placed on the lecturer is that he shall be a believer in the moral teachings and principles of the Christian Religion as the true solvent of our Social, Industrial, and Economic problems. Of course, it is my intention that a new lecturer shall be appointed by the committee each year, who shall deliver the course of Lectures for the ensuing year.

WILLIAM LEVI BULL.

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I

THE BACKGROUND



I

THE BACKGROUND

THE dark and unhappy background of the modern battles of labor is to be found not in our modern system of industry, but in the revolts and massacres growing out of labor conditions largely in antiquity and through the ages prior to the institution of the factory system.

The difference between the character of modern strikes and lockouts and the ancient disturbances which preceded them is not so great as one might imagine at first thought. Our modern strikes are to secure social and economic freedom or advanced and improved conditions. The ancient strikes were to secure not only social and economic development, but personal freedom, and they often grew out of religious and political controversies, elements which

do not enter, at least to any degree, into our modern battles.

It is generally supposed that the modern system of industry is peculiarly productive of the contests of labor and capital, or rather the conflicts between laborers and their employers; yet a careful study of history reveals the fact that, considering the difference in conditions, and in some respects the causes underlying modern controversies, they find their root in the far past. There have been centuries that have been quite free from labor conflicts, but the struggle of the wage-earner in our time to secure something which he deems important to his life springs from the same aspiration that inspired the workers of antiquity and the ages between antiquity and the present time.

Wherever the struggle has resulted in action, that action and the struggle itself must be considered as aspiration, for no man and no body of men ever engaged in a great contest without some lofty aspiration as the moving spring.

This is evidenced when we consider what labor is. Ruskin has defined it, philosophically, in a way that we can accept. He said: "Labor is the contest of the life of man with an opposite; the term 'life' including his intellect, soul, and physical power, contending with question, difficulty, trial or material force. Labor is of a higher or lower order as it includes more or fewer of the elements of life; and labor of good quality, in any kind, includes always as much intellect and feeling as will fully and harmoniously regulate the physical force."

All life, and particularly that led by the laborer, being a contest of the life of man with an opposite, all the conflicts of the past or of the present must be considered as the struggle of man to overcome a difficulty or secure an advantage or improved conditions and environment, in the estimation of those who organized the conflict, and who engaged in the sacrifices, bloodshed, and unhappy consequences which came from it.

The world of society in all its elements

is a constant struggle, but the great labor struggle in all its breadth and comprehensiveness not only underlies all other forms of struggle, but it preceded them all, for man has ever been undertaking to carry out the first great command which God gave to the human race, which was "to multiply and replenish the earth, and to subdue it." The attempt to subdue the earth, to conquer it, has involved labor, invention, planning, organization, the preservation of results; and it has called for laws, constitutions, and established government.¹

So in this struggle for the conquest of the earth we find the great fundamental principles or initiative forces of all the battles of labor. The evils, the problems, the rough places, the hardships and sacrifices cannot be enumerated, but when we understand philosophically the course of history in these respects, the attitudes of the Semitic and Aryan races, the first meaning more of coöperation and human sympathy, the sec-

¹ Cf. Cephas Brainard, Jr.

ond standing in its march around the world for the great principles of competition, we see those psychological forces which have entered into all the great conflicts.

But in all the conflicts of modern times the laborer is supposed to be a human being, endowed, as are all the sons of God, with an immortal element which we call the soul, while in the olden time the man who labored to secure the productions necessary for life, convenience, and comfort was considered as a being too low to have a soul. This distinction in the estimate marks great distinction in the treatment.

The historian of the far past, and to a great extent of the times nearer to us, has been unfair to labor; unfair not only in treatment, whenever he condescended to speak of labor, but far more unfair in his negligence of any treatment. The historians of antiquity, imbued with the idea to which I have just referred, that the workers in society had no souls, did not consider it worth while, or at least dignified, to pay

any more attention to them in their records than they would to beasts of burden, animal creations also without souls. Hence popular illusions relative to the history of labor itself and especially to the accounts of its endeavors through its aspirations for better conditions, to overcome the great difficulties under which it was employed. A few stray passages here and there, something from hieroglyphics and slabs unearthed and translated in more recent times, give about all the knowledge we have of the conflicts of slave and master, of employer and employee.

In our modern understanding a strike occurs when the employees of an establishment refuse to work unless the management complies with some demand, and a lockout occurs when the management refuses to allow the employees to work unless they will work under some condition dictated by the management but offensive or distasteful to the employees. So in effect strikes and lockouts are practically the same thing, the

disturbances simply originating with one side or the other as may be.

This definition of strikes and lockouts applies with as much truth and effect to those occurring in antiquity as to those we have witnessed during the present generation, which may be considered the great era of modern strikes.

The background therefore for all the battles of labor clearly belongs to antiquity and not to the inception or progress of what is known as the modern industrial system, or the factory system so-called.

To maintain this thesis it is well to give attention in this first lecture to some of the great conflicts of the past not only for the purpose of understanding the background of the present, but of understanding the elements of similarity in all history.

The solidity of this position finds ample corroboration in the great trade unions that have existed since history took any account of human affairs. What was in pre-historic times we know not, but history gives illus-

tration after illustration not only of the organization and long-continued existence and the great power of trade unions as such, but of their conflicts and their trials. The accounts of these unions, as well as of the great strikes and uprisings of the workers of the old world, are quite unknown to students and to those of our own age, but we should not be ignorant of them if we wish to be fair and intelligent as well in considering modern conditions.

Mr. C. Osborne Ward, in his very valuable work entitled "The Ancient Lowly," enumerates no fewer than thirty-five trade unions existing at one time under the law of Constantine. It is impossible of course to say when such unions first came into existence, but that they existed cannot be denied. In Rome the freedmen themselves constituted the chief membership, but it is not clear what inspired them. They were secret orders. Nor are we able to reach any positive conclusion as to their philosophical, religious or economic characters. They

grew out of that old contempt for and taint of labor resulting from the opinion to which I have referred, that the workers had no souls. But the right of combination from the very earliest times was enjoyed.

The Romans had no conspiracy laws relative to such combinations ; such laws were left for more modern legislators. The right extended throughout Europe in the time of Numa Pompilius, so seven hundred years before the opening of the Christian Era trade unions existed in large numbers. Pompilius not only tolerated them, but he was the author of some regulations concerning them. He distributed the entire people, including the working people themselves, into eleven guilds. Plutarch and Mommsen are not agreed on this matter, but careful consideration seems to show that Plutarch was more nearly correct. They differed chiefly as to the number of classes, which is not important.

Distinct trades existed and they embraced all the arts of Roman times. There was in

those days much skill, for mechanics made all the armor for warriors. During the reign of Pompilius—thirty-nine years—the trade organizations developed in large degree, and notwithstanding the Roman idea of crushing them or treating them with great harshness, they existed almost uninterruptedly for about seven hundred years, Pompilius even making them the basis for some of his reforms.

So his reign must be considered, as we look back upon it, as of great value in teaching many lessons in the treatment of the laborer, Plutarch even comparing Numa with Lycurgus.

Numa did not organize trade unions; he found them already in existence, but the privilege to organize and freedom from hostile legislation was what he granted them. Their members did not have the immunities possessed by others, for caste in its severest forms existed. Laborers were still degraded and so remained until the great Master declared them equal, for it

was not many years before His time that there was a cessation of privileges.

Tarquin and Claudius utterly failed in suppressing them. The aristocrats of those days were as fierce and as antagonistic in their hatred of the man who worked as any brutal master of modern times. Cicero, in his violent attacks upon organization, expressed the sentiments of the favored classes.

It is quite evident from fugitive statements that Pompilius borrowed his ideas from the condition, or rather the position, of the organizations of labor as they existed in Egypt, Asia Minor, and Attica; and both Numa and Solon legalized such organizations and did not interfere with the right of combination, for Numa recognized the unions even before Solon of Athens, who must be considered as a follower of Numa rather than a leader in these respects.

As against these men Lycurgus insisted that no slaves should be emancipated. He was a strong believer in the most rigid

military control, so under his laws all labor must be conducted by men held in abject submission and slavery. The Peloponnesian trade unions were not given the encouragement that Numa gave, and so there are to be found but few tablets with inscriptions suggestive of the existence of labor organizations. But in the Northern Grecian Isles, Asia Minor, and Italy there are many monuments suggestive of their existence, but historians have left them in darkness and only the archæologists have been ready to give them light.

Notwithstanding the grudging tolerance referred to, labor was not recognized as being respectable or even decent. The right to organize and combine was not extended to the slaves. The slaves therefore in their uprisings, or strikes as we should now call them, depended upon some brave leader to organize them into insurrectionary forces.

There were a great many burial associations and they were powerful auxiliaries,

or rather ancillary societies, to the trade unions. They acted under the garb of religion and without regard to the law, even after the passage of the conspiracy laws B. C. 58; for in spite of such legislation the unions as well as the associations exercised their peculiar functions. This was because there were some wealthy men among the membership who sought to control social and political action. They were of plebeian stock. Another cause was that, when they felt the persecution and recognized the attempts to crush them, they intensified the secret features of their orders. In this perhaps is to be found the reason for the first great blow which was given them, for in secret conclave they gave themselves to acts of conspiracy and diplomacy in order to accomplish their ends.

The burial societies—the trade unions of those days—were quite generally organized. There were the plasterers, the goldsmiths, the workers in mosaic, the brass-and-coppersmiths, silversmiths, gold gilders, deco-

rators, plumbers, painters, stone-cutters, masons, carpenters, and many others who had their unions; even the doctors and architects combined to practice their arts and to advance their conditions. There is evidence sufficient to warrant the conclusion that the artisans in the building trades were organized. They certainly held their organization through a period of six hundred years at Rome, and nearly as many in Attica and other parts of Greece. The masons were interlinked, or thoroughly associated, with the unions in the building trades. They agreed upon prices at which work should be done. They had a federation for the very purpose of taking contracts for the erection, decoration, and finishing of temples and public edifices.

There was also a great organization of armor-makers. This comprehended a great number of subsidiary occupations, embracing the iron and metal workers, artists in the alloys, manufacturers of weapons, shoes, and other necessary articles for war

purposes; the shield-makers, arrowsmiths, sling-makers, and all the others necessary for the production of war material. Then there were peculiar organizations among those who supplied food, both for the armies and for the people. In fact, Rome herself could not have carried on her great wars without the efficiency of the trade unions. The victualing system generally attracted much attention and was tolerated perhaps more generously than the other orders, the unions of fishermen or other suppliers or producers of food being necessary for the public welfare.

It is recorded that a stone has been dug up bearing an inscription which exhibits the relics of a union of manufacturers of cooking utensils. So we see that the wants of life were supplied, not in a helter-skelter way, but through organizations. Organization was carried even further than we know it to-day. The mimics had their unions, and in some of their performances there may be found the origin of wakes. The

dancers, trumpeters, bagpipers, horn-blowers, and other instrumentalists were organized as our musicians are to-day. Whether one of them would play with a non-union musician has not been revealed. Then those engaged in the games,—circus performers, gladiators, fortune-tellers,—all these had their unions ; and some of the elements of the gladiatorial scenes, ferocious and bloody, between the working men and tigers and other wild animals, being made compulsory by Roman law, had their influence in some of the great uprisings of the olden time.

The clothing-cutters and workers in textiles, the fullers, the weavers, the carders, the combers, all these were organized. The government undertook to conduct many industries, and the organizations of labor found some friendly tolerance as a consequence.

One of the most interesting and even valuable experiences of antiquity in this respect was the organization of the image-makers. They were the people who worked

for the gods; they were known as big and little godsmiths. So when Christianity dawned on the world these image-makers were opposed to the new religion, for if idols were to be abolished, if Pagan ceremonies were not to continue, there would be little or no work for the image-makers. Paganism was tyrannical, cruel, and religious as well. It ignored what we call the proletariat. Nevertheless in its temples, beautiful, magnificent, were numerous idols exhibiting the very finest and most skilful work the world produced; beautiful altars, sepulchres, sarcophagi, and mausoleums. All these must go if Christianity obtained a hold upon the thought of the world. The image-makers therefore opposed Christianity, purely for economic reasons, for the Christian had no need for idols. But their workers, like working men everywhere and in all times, ready to accept any new proposition that looks to greater equality and better conditions, finally overcame their antagonism and took to their hearts the

principles of the new religion ; but the workmen's craft as learned, practiced, and intensified by the old image-makers existed and still exists.

Without going into further detail relative to the organizations of antiquity, we may safely assert that they exerted a great influence in the development of the skill of brain and hand which has left its mark in the productions of the old industrial system ; skill which is not surpassed to-day and the productions of which excite the admiration of moderns. They were the enemies of the slave system and of all monopoly. Their influence and their force in legislation, in general economic conditions, and in the planting of the Christian religion cannot be denied. The great Master was Himself of them, His youth spent among them, and there are writers who do not hesitate to assert that He worked through labor organizations in His endeavor to bring the kingdom on earth. There is no positive evidence of

this, but the analogies of His preaching and the tenets of the labor unions of His time surely indicate such a similarity that it is not a very great stretch of the imagination which leads to the conclusion that if not of them He was with them in spirit and in action. He loved these working people beyond all other members of the communities in which He preached. He drew His disciples from them, and recognized their needs as expressed in their struggles and their aspirations.

Whatever the trials and troubles of labor organizations in the past as constituting a great element in the background of labor as we know it, as helping us to understand more fairly and with more Christian spirit the evolution of labor, we must still find the darker and the unhappier background in those uprisings caused by the desire to secure, first, personal freedom, and, second, better economic conditions.

So far as history is concerned, the first great battle which labor fought was the

strike of Moses and the Jews known in sacred history as the Exodus and curiously enough this great strike had in it more of the elements of our modern battles of labor than most of those in ancient times ; for there had been a persistent and long-continued labor agitation through many, many years, during which the Hebrews sought by every means in their power of representation, petition, and appeal to prevent or even to modify the severe tasks which the Egyptians placed upon them. These attempts of the Hebrews resulted in bloody encounters when servants and masters fought with all the fierceness of wild beasts, but Moses, like Spartacus in his great struggle, organized the forces of labor and ordered a general strike, so thorough in all its plans that the whole body of Hebrews subject to the persecution of the Egyptians—probably a million in all—left their employers and marched out in a great procession. It is held by some that the Egyptians were glad to be rid of this

turbulent body, but they showed their gladness in their attempts to subdue them.

The uprising was a clearly defined and well defined labor strike, and it was organized for economic as well as for physical causes. It was the greatest strike that has been recorded. The grievances underlying the strike are familiar to all and while based on economic and social conditions, there was a religious element in it all, for two chiefs of the tribe made a petition asking that Pharaoh would allow them to go to some wooded retreat where they might celebrate in honor of Jehovah as their custom demanded. The delegates or the two chiefs presenting this petition on behalf of the people were Moses and his brother Aaron. They respectfully submitted their appeal in an interview which the king granted, but grudgingly, however. These great delegates, whose names live to-day, gave evidence that their people were kindly disposed, but wearied to the very verge of physical exhaustion from

overwork, unwholesome food, and deprivation in every direction.

They were met by disdain and a manner on the part of the king most insulting and exasperating. Some employers to-day find the formula for an answer, when working men respectfully present their claims, in the answer which Pharaoh made to Moses and Aaron. Pharaoh said: "Wherefore do ye lead the people from their work? Go you unto your burdens." And Pharaoh told his task-masters to say: "Ye shall no more give the people straw to make brick as heretofore. Let them go and gather straw for themselves." To-day when like petitions are presented—but thank God the experiences are growing less and less under an enlightened intelligence—the employer says: "If you do not like the wages I pay and the conditions in my works, go where you please." The spirit of the answers is the same.

The Egyptian hirelings, who were largely the overseers of the Hebrew people, drove

them into the direst necessities, and the order to gather straw for themselves resulted in a corner in straw being worked up by the Egyptian workmen, and in the language of the Bible the order was, "Let there be more work laid upon the men that they may labor therein."

Moses and Aaron led their people into what many writers would call rebellion, but into what the sociologist and economist must call the greatest strike of recorded history.

We may speak of strikes as economic failures, and when we think of that we may ask, Was the Hebrew strike a failure? Out of it grew the great law of Moses, the best, the wisest ever promulgated prior to the Solonic law. Moses led his immense family and became its great statesman, deliverer, savior. That great legislation that has come down to us, that is so full of inspiration, so strikingly applicable in our times, found its very fundamental principles in the strike of Egyptian workmen. That law is indelibly

written in every code that has received the attention of man since Moses.

A great uprising or strike with an entirely different character grew out of what was known as the Eleusinian mysteries. These mysteries were based on a myth and held at Eleusis, a place of considerable size in Attic Greece about ten miles from Athens. The mysterious cult grew out of ancient mythology and related to the beautiful daughter of Ceres and of Jupiter, who was stolen from her mother and carried off by Pluto to his nether-world home. The mother assuming different garbs or characters and going to Eleusis there found occupation in the nursing of a child of the king. The boy thrived marvelously, Ceres breathing her life upon him, purging his mortal character of dross, dressing him with ointment and bathing him with a mysterious fire hoped to make this kingly child immortal. But the mother of the child observing these processes of what may be called transubstantiation, the boy hanging

in a halo of flame, became frightened and the old nurse in her trepidation let the child drop into the fire itself, and thus he perished. Then the old nurse, that she might not be sacrificed, rehabilitated herself as Ceres and ordered the people to erect for her a beautiful temple where she should reside while prosecuting her search for her own lost daughter who had been abducted by Pluto. In this myth lies the key to the Eleusinian mysteries, in celebrating which the people of Athens sought to personify the transformation of matter into life and life into immortality, partially a religious ceremony, partially a social one.

The crusades of the Athenians were to do homage to the goddess of the harvests. The things real and things unreal finally assumed a priesthood in character, and the devotees found themselves a great society of men and women bound together by ties of secrecy, which gave them a power they could not otherwise have exercised.

We do not know just what occurred at

the Eleusinian penetralia of mysteries. We can only conclude from all that is known that they symbolized the procreative potentiality of nature itself and that their rites emphasized the elements of eternal bliss.

To participate in these rights the initiated went out from Athens in a crusade, but the laborers who had no souls, degraded and misunderstood, could take no part in the celebration of the mysteries at Eleusis, and there was a constant conflict on the passage of the great procession. This occurred every five years and the festivities lasted nine days.

The outpouring gave the labor organizations, the slaves, and all the downtrodden the opportunity to attack the procession of Eleusinian devotees, and they assaulted the crusaders with clubs and stones. They did this because they were excluded from participating and because they hated the very class of people that made up the crusaders. Here was the occasion, although not the cause of the great conflict.

Insulted with personal assaults the nobility and their friends retaliated, and the lowly people suffered the consequences. Their action was a strike against what they considered exclusion from religious rites. They entered their protest in a brutal way, but they started that great agitation which brought to the slaves and others greater freedom and recognition. They were the men who had built beautiful temples, magnificent palaces and the monuments of ancient Greece. Their skill had been recognized, and they felt that their personality should be recognized as well. It was a strike practically for the recognition of the union.

Labor also fought its battles in Lacedæmon through the working people or Helots, who were slaves living and working in large measure in the rural communities.

Lycurgus had provided for an annual election of magistrates, the *ephorî*. The principal object of the establishment of this body was to develop democratic principles

looking to the equalization and development of the hopes of the people, but the people, other than property owners, were practically denied the privilege of suffrage or of enjoying the results of their own labor, although it is shown by fugitive statements that the working people involved were perhaps as worthy of recognition and might have been as intelligent as their masters. Instead of practicing the democratic ideas held by Lycurgus, it was sought to reduce the number of working people, so under the orders of the *ephori* aristocratic youths were induced to repair to a distance and assassinate the workers. These young men, unfortunately, had governors or guardians powerful enough to compel them to carry out these bloody orders of the *ephori*, so whenever a new slaughter of the working people was ordained the most able-bodied young men were armed and instructed in their inhuman work, and the walking delegates of that day, in connivance with the authorities, saw to it that the

workers themselves went forth without arms, and the few naked, ill-fed laborers were unsuspectingly driven into the fields or places of labor where the assassins, lying in wait, indulged in their sanguinary sport. It was to carry out the compulsory provisions of the law of Lycurgus, to indulge in manly gymnastics ; it was sport. The aristocratic youth felt the tingle of blood, the toughening of sinews in his athletic development.

Plutarch, even in his barbarous age, said : "The governors of the youth ordered the shrewdest of them from time to time to disperse themselves into the country, provided only with daggers and some necessary provisions. In the daytime they hid themselves and rested in the most private places they could find ; but at night they sallied out into the roads and killed all the Helots they could meet with. Nay, sometimes by day they fell upon them in the fields and murdered the ablest and strongest of them."

Here is an example of one of the ancient

battles of labor. Such deeds darken the background and help us to understand the condition out of which labor is growing.

In Greece, Sicily and Rome in ancient times there occurred many great and disastrous strikes. Typical of these was the great labor war among the miners of Laurium, B. C. 413. The miners knew before they entered upon their insurrection that they would have to suffer death by torture in the most maddening ways that the cruelty or the greed of their masters could invent, unless their great revolt or strike met with success. Among the strikers were slaves through the accident of their birth; some were slaves because they were prisoners of war; some were slaves because they had been bought and sent into the mines, and there were many convicts working as a punishment, constantly under the lash. These men were leased by the overseers or contractors from the government who received as compensation for their labor one twentieth of the proceeds thereof. So our

modern lease system, which has been so generally condemned, finds its roots in this dark background.

The working man of the Laurium silver mines was a social outcast. These mines were not far—only about thirty miles—from Athens. The labor was arduous; men and women, some of whom had been guilty of some criminal act, were sent into the subterranean caverns, stripped entirely of their clothing, their bodies painted, their legs loaded with chains and thus set at work breaking the rock and carrying it to the mouth of the shaft. Outside smiths and others were at work to aid the inside laborers. It is not more than one hundred years since the boys and girls were worked naked in the coal mines of England.

How the dark background of antiquity has continued its depressing and demoralizing influence! Such conditions could not be continued without protest, and any protest then meant battle. The conditions were such that the working people hated

not only fatherland and employer, but home. The labor war then when it broke out compelled the laborers to seek retreat from the infernal cruelties of their bondage.

The great strike of the silver miners left the mines unproductive, a condition which could not be tolerated by the government. When 20,000 miners, mechanics, teamsters, and laborers struck their work and made a desperate advance on the Spartan garrison at Decelia, they were met by offers of compromise, one of which was that they might work on their own reckoning, part of their proceeds being paid to their masters. As they knew nothing of having plenty of food and other comforts, many of them acceded. The losses to the armories at Athens through the loss of products was a most serious element in the progress of the Peloponnesian war, and the strike left its scars not only upon the Athenians, but upon all with whom they were in affiliation. It was a great strike for social and economic betterment and must be so classed.

Later on another vast and bloody conflict occurred at the same mines, more than a thousand striking work and proceeding one day in a body to the protecting castle of Sunion, claiming and receiving there some protection from the divine guardian of that place. The strikers killed their overseers, organized for combat, seized the arms in the armories, laid waste the country, and were the masters of the stronghold. They were finally defeated by Heraklitos, the mayor of the city, with the brutalities of general crucifixion usual in such victories.

Rome was not a stranger in the construction of this dark curtain, but her labor wars were usually in the nature of conspiracies. One of these occurred in Latium about 194 B. C. It was a strike of slaves and it started through a lockout. The degraded wretches of the agricultural districts went into collusion with the slaves inside the city; they really constituted great bands prowling among the mountain regions. The people of Setia were about to indulge in a gala day,

probably some gladiatorial contests were ordered. Here was an opportunity for the strikers, and by taking advantage of the excitement of the populace, the people not being on the alert, they expected they could plunder the town, take possession of munitions and weapons necessary for their own purposes, and then, armed and supplied, the town of Norba would be subjected to violence; the masters and patricians murdered, they would have an easy conquest of other cities where, under a constant repetition of their carnage, they would secure the control of what they considered the world. It must be remembered, however, that no conception of there being any world beyond their own limited vision was possible.

This strike was defeated through the action of a traitor to the working people, for information was carried to Rome and laid before the Prætor by two slaves who exposed all the plans of the insurrectionists.

It took not much longer to convoke the Roman Senate than it would to convoke

our own at the present time, and it was ordered that Merula, the Prætor, with a few regular troops then available, should proceed against the strikers. It is not known whether a conflict ensued, but it is known that the ringleaders were apprehended and the insurrectionists demoralized ; 2,000 of the conspirators were slaughtered and the uprising suppressed.

The grievances which led to the uprising, however, could not be suppressed. The gibbetings, the murders, the agonies, the reward of the traitors, caused the spirit of insurrection again to assert itself in the immediate vicinity of Præneste, where it was discovered that a plot existed to master that town. This second insurrection, however, failed as did the first, although a battle, according to some authorities, must have been fought, one of considerable importance. Two thousand five hundred public executions took place, to say nothing of those who lost their lives in the conflict.

It can easily be imagined that all these

events terrorized the Roman citizens, who instituted measures of the strongest vigilance. Hostages were reduced to slavery, prisoners chained; but the worst punishment of all was the underground prison, the public *carcer*, built as early as B. C. 650-500. This was called the Tullian cell, to which, according to Bombardini, the Italian jurist, "you descended by a ladder to the distance of twelve feet into a damp hole, excavated in the earth. It was walled in on all sides and vaulted overhead having the sections adjoined. It had a putrid odor and a frightful outlook." This horrid prison developed from something still worse. Long before the period of which I am speaking, B. C. 198, prisoners were worked in this excavation; masters of the slaves lowered their food and scanty clothing to them through breathing holes. This prison, which may be seen now, was a deep and spacious excavation under the Capitoline hill, and it was made by slaves. Of course vengeance, not correction, guided the au-

thorities; as the prisoners quarried the stone, the cavities left made prisons for themselves. It was this process that caused Pliny to designate Rome as the "city hanging in the air." The occupants squeezed their bodies between sharp rocks, and the prison was a place from which the person doomed, when once incarcerated, never afterward saw the light of day. It is easy to determine whether the causes of these bloody insurrections were just or unjust.

This period, about 200 or 190 B. C., seems to have been quite prolific in strikes. Some of them resulted from the agrarian agitation, others from the attempt to establish some sort of socialistic government and other potent reasons and auspicious questions.

The historian, Nymphodorus Siculus, has given an interesting account of a somewhat remarkable strike which occurred in the island of Scio. This island is the ancient Chios, about seven miles from the coast of Asia Minor and part of

the Greek Archipelago. It contains only a little more than five hundred square miles, and is considered the primeval home of the Pelasgians and the Leleges of Cyclopean fame. It is therefore Greek, beautiful in its natural aspects of verdure, of forest and of stream. Slavery existed there in its most accursed forms. While other provinces kept their slaves recruited from their own sons and daughters, as well as from the prisoners taken in war-time, Chios engaged in the slave traffic in order to increase her laborers.

It is quite impossible to fix the date of the occurrence narrated by the historian quoted, but it must have been before the Christian Era, although Dr. Bücher thinks it was some two hundred and fifty years after the birth of Christ.

At all events, there was a slave named Drimakos. He was a runaway who had provided himself with a weapon, and rushing from his owner he secreted himself in a den in the mountains, having with him

a dozen desperate associates. He could supply himself and companions with food only by taking it from the dwellings below the mountains, where there were fields richly cultivated ; or, to some extent, from the city from which he was a fugitive.

It was determined by the masters, including that of Drimakos himself, that these desperados must be taken without regard to whether they were living or dead ; but others taking courage and gathering inspiration from Drimakos joined him among the mountain crags. So in a short time the slaves found themselves in possession of their mountain homes, and their number being constantly augmented by other fugitives they became a community of power, over which Drimakos was made king, commander-in-chief, and really a despot. As has occurred so many, many times in history, this cruelly abused man, when given despotic power, began to use it with as much severity or nearly so, but with more justice perhaps, as did his old masters.

The Chians, in order to capture the leader and his fellow fugitives, sent an expedition into the mountains, but the expedition met with defeat, for the Chians, through the ingenuity and skill of Drimakos, were led into ambush, cut to pieces, their arms captured, and the fugitives were masters of the field. A bloody battle was fought, even a succession of battles, but Drimakos, a man of sympathy through his sufferings and his wrongs, appointed a council of arbitration and asked a like council on the part of his enemies, to settle the whole matter and avoid further bloodshed.

In the council or the conference in which the new king met the city magistrates, Drimakos made a most remarkable speech, as follows: "We will never lay down our arms. We will never again submit to the drudgery of bondage. We are fixed in our own minds and act under counsel of the Almighty.

"Nevertheless if you follow my advice

and adhere to it in the strictest faith, after signing this pledge and compact, the war may be terminated and the further effusion of blood dispensed with; then we can mutually live in peace and enjoy tranquillity on terms which will be full of prosperity to the whole state of which we all are members.

“ What we want is enough to subsist upon—no more. In future when hunger and need inspire us, we shall visit your granaries, flocks, and stores and take what we require, but always by weight and measure. The weights and measures are to be those which we have brought you and exhibit before your eyes. Here also is a signet with which we propose to seal up your storehouses and granaries after taking from them what we require, as by this means you will be able to distinguish our work from that of common robbers. Regarding the slaves who in future shall escape from you to our camp, I shall rigidly investigate the causes of each man's running away, weigh his

story carefully, and after submitting his case to an unbiased examination, if he be found to have suffered injustice at your hands, proving that he has been treated wrongly by you, I shall protect him. If on the contrary the runaway slave shall be found not to have had a sufficient cause, I shall return him to his master."

The great slave, the man who had run away from slavery, recognized and upheld the institution. The conditions imposed by him were agreed to by the Chian authorities, for they were not so situated as to refuse. During the existence of the stipulations, and for many years afterward, the conditions were carried out.

The king of the mountaineers took what stores they wished, but always by weight and measure according to the compact. The country was rid of robbers, with which it had been infested ; Drimakos becoming the great robber would allow no competition.

When this wonderful man became old he

undertook to delegate his powers to a young man—a runaway—who had been kidnapped when a child and sold to one of the merchants of Chios.

The Chians, however, were beginning to be restless after their many years of subjugation by their former slave, and offered a large reward for the head of the great insurgent who resolved, now that he was feeble, upon a plan ingenious in itself but as disastrous as it was ingenious. So he said to this young man: "Thou art child and son and all that to me is dear. I have lived out my span. I have lived long enough; but thou art still young and hast blood and hope and sprightliness, and there is much before thee. Thou shalt become a good and brave man.

"Son, the city of the Chians is offering to him that bringeth them my head a sum of money and promising him his freedom. Therefore thy duty is to cut off my head, take it to them, receive thy reward, return home to thy fatherland and be happy."

This was a very revolting idea to the young man, but his old friend, having resolved, would not change his plan ; and so he allowed himself to be persuaded, and the great slave king, laying his head upon the block, the youth became the executioner, then took the head to the city and returned to his home with wealth and renown.

But the loss of Drimakos left his old associates without his guiding hand, and they became pillagers and robbers and pirates. Then the Chians saw the error of their ways, for Drimakos had held freebooters under control and the treachery of the Chians in securing the death of Drimakos brought them under their old difficulties and they recalled the words of prophecy which he had uttered and his inspired statement that the cause of the poor slaves had been favored by the gods who were angered. When this memorial feeling took possession, kindling to a high degree, they erected a mausoleum over Drimakos's grave and he himself was worshiped as a hero. After-

ward mention of the ghost of Drimakos through the superstitions of the people became a shibboleth with the Chians.

Oh, those ages, the ages back of the Christian Era, were full of these great rebellions, strikes, insurrections, whatever one chooses to call them, but all growing out of labor conditions.

There was the great rebellion in Spain, B. C. 149, when the massacre of Galba and the dramatic life of Viriathus revealed the cruelties which labor suffered. Time will not permit even the briefest relation of this wonderful story, nor of the civil war in Sicily when one of the greatest labor rebellions or strikes on record in any country or at any time occurred, all growing out of the horrid conditions regulating labor.

Nor can I speak of the bloody strikes in Asia Minor, even in close proximity to Palestine and those immortal scenes that grew out of Nazareth and Jerusalem a few years after them. These scenes give a deeper hue to the darkness of the background of the

battle of Enna where all but a fragment of 20,000 workmen were killed or taken prisoners.

Then there is also the story of Spartacus who led the strike of the gladiators. The grievances which led to the trouble are probably better known to-day than those underlying any of the great battles which labor has fought. Poetry and romance and history have all combined to make the story of the gladiators under Spartacus, about 74 B. C., familiar even to school-children. But the real history of the rebellion led by Spartacus in the revolt against the cruel regulations reveals the fact that Spartacus to all intents and purposes was a working man. He rose to his great renown through his own genius, and through the organizations which he inspired he carried on his great work for human liberty and decent conditions.

He was himself a slave. At fifteen years of age, holding the head of his dying father, chained and nailed to the trunk of a tree,

he was conjured to avenge that father's death, and he then and there vowed vengeance upon his powerful enemies; this feeling of vengeance, allied to the cruelties to which he had been subjected, gave him the mind and the skill and the strength to carry out his promises.

He had been a shepherd in Thracian Greece; he was a giant; he was young; he had all the elements of a great leader. He fought many battles—at least twelve—before the final tragedy, in which great numbers of the brave men with Spartacus were slaughtered, the story of which will never die; and in the last of which the body of Spartacus was so completely cut to pieces that it was never found. Florus says he died like a Roman emperor.

In that last battle the Romans gave no quarter. Sixty thousand working men gave their lives in a defeat which caused the chains of labor to be more securely riveted for ages.

Spartacus fought for principle, as others

had fought, with slaves for soldiers. In the different wars of the slaves' rebellion against the Roman system more than one million perished.

Many other references might be given to show not only the vastness, but the savagery of labor's battles in the far past. The evolution growing out of those conditions has been slow, so slow that it can hardly be recognized even when we compare modern with ancient times. The brutalities take different form, but they are there. The darkness does not disappear, even when recognizing the magnificent results which Christianity brought out of those old struggles to which I have alluded; but these results teach us that growth is there, that the evolution has been and is sure; that the auguries of the present based on those magnificent auguries of two thousand years ago are bringing an age which cannot be compared with any other, and that the golden age is in the future and not in the past.

II
IN MEDIÆVAL AND MODERN
INDUSTRY



II

IN MEDIÆVAL AND MODERN INDUSTRY

It would be interesting to dwell at greater length upon the ancient background of labor. There were eight centuries during which Rome had but two classes of people, masters and slaves; if we could tell the story of the latter we should get the story of the Roman workmen, for that empire, with its patricians arrogant and ostentatious, found it necessary to unite the patrician and the rich plebeian in order to overcome the opposition to the welfare and the rights of the working classes. Those of the latter who were not legal slaves were oftentimes in a worse condition than the slaves themselves.

But we must pass rapidly to mediæval and modern times.

All through the centuries up to and including the eighteenth, the working people

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were slaves or serfs, and their condition was not much better than their forebears' prior to that period; nor did they have the intelligence of the insurrectionists in the different countries prior to the Christian Era.

The workman was stagnated, as was society generally, and although out of the middle ages there came some of the grandest inventions the world has seen, in the development of science, in mathematics and medicine, yet in other directions, the world practically stood still.

The peasantry all through those centuries lived in slavish servility, but the people—the bourgeois—were, in the later centuries, gaining something in civilization and in political power. There were corporations and organizations among artisans and merchants, and these became powerful in their methods of defense against the oppression of the nobles. They were prolific in France, but they never attained similar power or position to those in Belgium, Holland or England.

These organizations were often as autocratic as the very power against which they aimed their forces, for the workmen did not hesitate, trained as they were under despotic rule, to reproduce some of the worst features of the aristocracy; but when these features were announced and carried out as far as possible by the nobles, the workmen did not fail to denounce them.

There were many features of these unions coincident with those with which we are entirely familiar. They fixed the hours and the days for working; they allowed or restricted output by regulating the size of articles to be made, the quality of the stuffs used in their manufacture and even the price at which they were to be sold.¹ They prohibited night work, except in the production of funeral articles, which might be made at night; but beyond and above all these stringent regulations the trade unions of those days taught industry and business integrity. They became pow-

¹ "The Story of Manual Labor," by John C. Simonds.

erful and they worked strenuously to secure the advancement of honest labor and to bring about the great and resistless upheaval of the French revolution of 1789, and the abrogation of the rights and privileges of the nobles and the clergy.

Among the strikes which occurred during the middle ages reference should be made to the disputes between masters and "valets," that among the shearmen in 1350, and that of the weavers alien in 1362. There was at that time, or at least there is much evidence to show that there was, a separate journeyman class having various interests quite distinct in some of their essential features from the interests of the master artisans.

There occurred combinations, the result of agreements existing among the men themselves that they would not work except under certain circumstances and conditions. Our modern strikes find examples for their methods in these very agreements, for they gave the fullest power to the officers of their associations to deal with all cases of

grievance or dissatisfaction which might arise. An extract from these agreements is exceedingly interesting in discussing how strikes arise and the causes of disputes.

“Whereas, heretofore, if there was any dispute between a master in the trade and his man (vadlett), such a man has been wont to go to all the men within the city of the same trade; and then, by covin and conspiracy between them made, they would order that no one among them should work or serve his own master until the said master and his servant or man had come to an agreement; by reason whereof the masters in the said trade have been in great trouble, and the people left unserved; it is ordained, that from henceforth, if there be any dispute moved between any master and his man in the trade, such dispute shall be settled by the wardens of the trade. And if the man who shall have offended, or shall have badly behaved himself toward his master, will not submit to be tried before the said wardens, then such man shall be

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arrested by a sergeant of the Chamber, at the suit of the said wardens, and brought before the mayor and aldermen ; and before them let him be punished at their discretion."

Of course after the Black Death there was a great increase in wages, but also much difficulty between employers and employees. Men were not content even with the increased wages, and this discontent with remuneration caused many of the difficulties. Journeymen became masters of the situation temporarily. Their movement did not result in entire defeat, but it did result in the removal of the power to determine wages from the individual master to the craft as a whole, or to the wardens as its representatives.¹

Some of the difficulties arose from very curious causes, but the strikes were in all respects like the strikes with which we are acquainted. In England the Peasants' Revolt of 1381 caused much disturbance

¹ Ashley, "Economic History" Vol. 1.

among the journeymen in the towns quite like the ferment that existed among the villeins in the country places. The journeymen felt aware that they would never become masters, and they caught the idea that their independence and improvement must result from their own action; and this action was jointly with the peasants, resulting in public demonstrations and refusals to work—that is, strikes—as the most powerful means of securing better compensation, better conditions, etc. These were old methods, however, and the very same that occurred thirty years before, to which I have just alluded. The Peasants' Revolt, as such, occurred June 10, 1381, and it was quite extensive, being simultaneous from the coast of Kent to Scarborough and all through the eastern towns.

The rioters took Norwich and stormed the Castle; the thriving artisans of London shared in the insurrection. On the west of England all the country from Hampshire to Lancashire was involved. The immedi-

ate occasion was the outrage committed on Watt Tyler's daughter and the vengeance which he undertook on the criminal, although many ascribed the difficulty to the poll tax. But the cause lay deeper than any personal grievance or any personal outrage, because the uprising was concerted and related more particularly to the wages of labor than to any other cause.

Curiously enough the serfs had organized their trade unions, and they were united in their resistance to the law and in their strenuous demands for increased wages; yet Tyler's case had something to do with the Peasants' Revolt.

The conditions of villeinage and general dissatisfaction must be considered as contributing largely to the revolt; and yet, strange to say, Kent County led the insurrectionary movement, although there were no serfs in that county, and their action can be accounted for only through their sympathy with the serfs where they existed. In other words, the Kent County people—

artisans, peasants—entered upon a sympathetic strike.

Just seventy years later Cade's Revolt found its starting point in Kent. Kent was active in all the leading events which took place prior to the days of Cromwell.

Under Tyler, in 1381, the insurrectionists marched to London, occupied Black Heath and Southwark and forced Sir John Manners to approach the king and lay before him their grievances; and then they crossed the bridge and entered London. The councils of that city were so divided, the interests and sympathies so varied, that the city was distracted. Then the insurrectionists became rioters and John of Gaunt's new palace was burned and the Hospital of St. John sacked, while on the last days of their occupancy they made London their camping-ground, probably in Smithfield.

Then came a night of terror, during which the young king, his mother, his two half-brothers, the Archbishop of Canterbury, and some of the nobles found lodging

in the tower, but the garrison was a slender one and on the next morning the insurgents approaching the tower informed the king that he must grant them a conference or the tower would be attacked, captured and all that were in it slain. The affrighted king left the tower and appointed a conference to take place at Mile End, but no sooner had he left it than the insurgents took possession of it, seized the Archbishop and others and forthwith put them to death.

Tyler was no doubt aided by many in London who were dissatisfied with this, that or the other condition, and probably by some old soldiers of the French wars.

The king met the rioters and on his demanding the occasion of the conference they answered: "We will that you make us free forever, ourselves, our heirs, and our lands, and that we be called no more bond or so reputed," and the king without delay assented, bidding the mob to return to their homes while the charters for their new condition were to be carried to them. The

morning following Tyler occupied Smithfield in force.

The king was desirous of escaping from London and was even attempting to make his way out of the city. This was strange, for the whole country was in insurrection. The king found the peasants everywhere under arms and while at St. Bartholomew's Abbey undertook a parley. Tyler as he saw him commanded his followers to fall back, he himself advancing to meet the king, but Walworth, the mayor, slew Tyler. This enraged the crowd, but the king, braver than some of his associates, appeased them, riding boldly to the front and announcing to them that he was their monarch and their friend. Then the rebels returned to London and soon dispersed.

On returning to his mother, who was still in the tower, and being congratulated by her on his safe return, he assured her that he had well-nigh lost but actually gained his crown on that memorable morning at Smithfield.

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There were many more features, riotous, tragical, disastrous, which accompanied the Peasants' Revolt. They need not be related. The insurrection was over in a week, and then, as in our own time, after the tragedy the authorities began to study the situation, to discover if possible the causes of the insurrection and how it was organized and developed.

There were all sorts of combinations, resulting in insurrections of greater or less magnitude, involving citizens of various classes and degrees, following the events of 1381, and they are sufficient to indicate the existence of strikes in mediæval times and to establish their comparison with the strikes of our own times.

As additional mediæval experiences we may cite the Peasants' War, which was the rebellion of the peasants of Southern and Central Germany in 1525. It may be, and probably it is, true that the Reformation offered the occasion but not the cause of this revolt. It was intimately associated with

the Anabaptist uprising which took place early in the sixteenth century. The Anabaptists sprang up at about the time of the Reformation, but when or where they first appeared, whether in Germany or Switzerland, it is difficult, if not impossible, to determine; but they sprang up like rank vegetation. Their growth is explained from the fact that the seed was in the ground, and this explains the growth of all labor revolts and of all communistic attempts.

In 1521 they appeared at Zwickau and later, under Thomas Münzer, took part in and shared the sanguinary strife of the Peasants' War. Thus religion and labor conditions joined hands and Münzer and his followers claimed a divine commission.

The Anabaptists were defeated near Muhlhausen and their leaders put to death. In 1533 they concentrated their operations at Münster and, as in all such movements, fanaticism ruled, but after a sanguinary strife of fifteen months the so-called kingdom of Anabaptists perished.

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The story is a cruel one. Throughout the most flourishing districts of the country travelers were horror-struck with the sight of heaps of dead bodies and of smoking ruins. Fifty thousand peasants perished and almost everywhere the people lost what little liberty they had previously possessed.

The revolt was primarily caused by the actual and burdensome grievances of the peasants, but they sought to rectify these by a process which has always led to ten-fold greater evils—plunder, rapine, murder, and all the excesses of infuriated hordes.

Read the story of the Reformation in all its bearings if you wish something possessing all the charm of romance and a truth stranger than any fiction.

Contemporaneously with the Peasants' War in Germany and the Anabaptist revolt culminated those mighty communistic movements in France, begun before the opening of the tenth century and resulting in the almost entire destruction of feudalism. They were "the first attack of that mortal

illness which eventually was to destroy the system."

We learn from Paul Lacombe that no epoch was ever more frightful for the poor peasant; with no hope, since he owned no land and had no chance of becoming rich; with none of the comforts or even necessities of existence, life was to him a perpetual agony. We must understand that around the castle of each feudal lord was generally a large palisaded enclosure, built to receive the serfs of the domain and their cattle, at the approach of the enemy. To live in his hut like a hare in his hollow, with his ear always on the alert; to cultivate out of season, and against his will, barren soil; at the slightest sound of danger to take refuge in the Manorial enclosure; to encamp there in want and fear, hardly sheltered and not at all fed, a prey to epidemic diseases; later to go out starved and trembling to see his plot of ground and harvest in cinders; to repair the damage and begin again, with the prospect of another similar

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catastrophe ; such was the life of a peasant under the feudal system of France and of other countries. The poor creatures felt it an impossibility that humanity could survive under such a system. And it is not surprising that insurrections, revolts, and the battles of labor came to be general, exhausting, tragical.

Then occurred the establishment of the French communes which were born in the holiest of holy causes. Under the prevailing conditions they became the most active and determining element in the processes of French civilization. The revolts, the massacres, the stupendous crimes, the wonderful sacrifices, the heroic deeds, the patriotic martyrdoms, and the demagogical stratagems which attended their birth and their christening into French history, have all been repeated in later times, but with varying purposes. They were the outgrowth of the conditions that surrounded the working man. The Revolution of '89 was inaugurated through and by their

influence, and that Revolution swept away the privileges of the nobility and of the clergy; and it swept away much more, but it left something for future generations which was good.

During the Revolution of 1848 these principles were reinvoked and the attempt was made to make labor the basis of the new order.

How many strikes or labor revolts occurred during the period from the beginning of the Christian Era to the middle of the eighteenth century, other than the great rebellions well known in history, it is impossible to state. Historians have been as negligent during this period as they were during the period prior to it. Whatever revolts there were, however, wherever they occurred, in what numbers, and with what results, they were the background that the middle ages formed for our own period.

I said in my first lecture that it was generally supposed that strikes were one

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of the direct products of modern industry. It is true that probably more strikes and lockouts and labor disturbances generally have occurred during the last twenty-five or thirty years than in all the previous period of history since the dawn of the Christian Era, but they have been of a different character and on the whole have been peaceful and not tragical; although here and there, as we shall see in the next lecture, tragedy has played an important part in the conduct of the battles.

It cannot be without interest to take a cursory glance over this immediate past, in order to discover if possible whether the phenomena of strikes and lockouts are novel in our present industrial history, or whether they had their beginnings in times and under conditions which have passed; whether they are the result of the powerful organizations of working men, or whether they are the outgrowth of discontent and dissatisfaction with existing industrial conditions, or the natural result of industrial

development and the development of intelligence.

While it may be truly said that the strike, as a method pursued by working men to obtain the redress of real or fancied grievances, has assumed importance only during the last generation, it is true that the strike, as I have shown, is not a new weapon even in this country in the hand of the laborer.

Careful investigation of records shows that it is reasonably certain that a strike occurred among the bakers of New York city as early as 1741, for in the trial of journeymen cordwainers in the city of New York in 1810, counsel for the defense stated that he had ascertained the facts relative to the occurrence in 1741.

There was also a series of strikes among the boot- and shoemakers of Philadelphia, beginning in 1796; and again in 1798 there was a "turnout," as a strike was then called, ordered by the journeymen shoemakers of this city. The cause of this

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was a demand for an increase of wages, the same as in New York in 1741. This strike lasted ten weeks and was partly successful, although the next year the journeymen shoemakers turned out to resist a demand made by the masters for a reduction of wages.

In New York, in November, 1803, occurred what is commonly known as the Sailors' Strike. This has been considered generally by writers as the first strike in the United States, but the facts just cited indicate the contrary. The sailors formed in a body, marched around the city and compelled other seamen who were employed at the old rates to leave their ships and join the strike. The strikers were pursued and dispersed by the constables, who arrested their leaders and lodged them in jail; so this strike failed.

The shoemakers, always the leaders in agitation, in those days as in revolutionary times, turned out again in 1805 here in Philadelphia. They demanded an increase

of wages. This particular strike lasted six or seven weeks and was unsuccessful. The strikers were tried for conspiracy and the men convicted, but I have not been able to learn whether sentence was passed upon them.

There occurred a strike among the cordwainers in the city of New York in 1809. This strike is memorable only because there originated in it some of the terminology which enters into all strike literature of our time. The proprietors took their work at the time of this strike to other shops and by this stratagem defeated the strikers; but the action being discovered a general turnout was ordered by the Journeymen Cordwainers' Association against all the master workmen of the city, nearly two hundred men being engaged in the strike.

At that time, November, 1809, a stoppage of work in one shop by the journeymen was called a "strike"; a general stoppage in all shops in a trade was known as a "general turnout," and a member of a journeymen's

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association who did not keep his obligations to the organization, that is, a man who would work while a strike was on, was denominated a "scab." This is the first time, so far as I have been able to discover, that this word was applied to one who would work while his comrades were on strike.

An interesting strike occurred in 1817 at Medford, in the State of Massachusetts, when one Thacher Magoun, a shipbuilder, determined to abolish the grog privilege customary at that time, drink being furnished to workmen at certain intervals during the day. Upon notice being given by Mr. Magoun that no liquor should be used in his shipyard, the words "No Rum" were written upon nearly every clapboard of the workshop and upon each timber of the yard. Some of the men refused to work but finally gave in, and a ship was built without the use of liquor in any form. I do not remember that the temperance question or the use or the prohibition of the use of liquor ever appeared as a cause in any

other American strike, nearly all those occurring prior to 1880 being for an increase in wages or to prevent a reduction, or to establish some rule the working people thought necessary, or to prevent some rule to which they were opposed.

During this period the year 1835 must be considered as exceptional, for then occurred not so very many strikes, but some of considerable importance. Five hundred mechanics in Boston struck for the ten-hour system, and this was the case in twenty mills in Paterson, New Jersey. The stonecutters of New York struck not only for an increase of wages, but for the regulation of piece work. In May of that year the Schuylkill merchants pledged themselves not to employ laborers unless they would agree to work by the day and from sunrise to sunset. A contemporary writer, commenting upon this lockout, said: "All combinations are wrong, but if on one part, they must be on the other."

In the same month there was a serious

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strike in Philadelphia coal yards. This was for a reduction in the hours of labor; and in June several trades in Philadelphia met and offered an imposing manifestation in favor of the change in hours. They formed a procession with a large white banner bearing the motto "From 6 to 6," but their conduct was peaceable. In the same month occurred other strikes of house carpenters and brick-layers, lamp and chandelier employees, together with the tin plate and sheet iron workers. In some of these cases the demands were promptly complied with. In the same month also the journeymen cordwainers again took the field, and the strike committee reported that nearly one hundred and forty employers acceded to the demands. Then in the same month the working women, tailoresses, seamstresses, binders, folders, etc., undertook to formulate a schedule of prices and asked advances. The master bookbinders considered the cause of these women whose claims were founded alike on justice and humanity,

and they resolved that \$3.00 per week was the least amount of wages that could be offered by any one possessed of practical principles of humanity, and that less wages were unjust, inhuman, and oppressive.

There were not many strikes during the Civil War. People were too busy, too excited, too much interested in greater affairs. The decade of the '70's was more turbulent, coal miners, railroad employees and others entering into great contests for an increase of wages and an improvement in conditions.

The greatest strike of that period was that of July, 1877, on the Pennsylvania Railroad. This strike will be dealt with more specifically in the succeeding lecture, as it is one of the historic strikes of the country.

Taking the whole period then, from 1741 to 1880, my investigations show that there were 1,491 strikes and lockouts, and that of these 1,089 related to wages and 278 only to other causes ; that of the whole number 316 succeeded, 154 were compromised, 583 failed entirely, while the results in 438

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cases cannot be ascertained. It was shown by a report of the tenth census that in 1880 there were 610 strikes. In no year prior to that was there any considerable number of strikes, certainly not more than 80 or 90. From that year, 1880, we have a very accurate record down to December 31, 1900. The facts for subsequent years are not yet ready for use, but I apprehend that when they are known we shall find that there has been a decrease in the total number. When we analyze the course of strikes during the twenty years from January 1, 1881, to December 31, 1900, we shall be astonished at the magnitude of the disturbances in the aggregate.

In 1881 there were but 471 strikes, while in 1900 there were 1,779. The largest number occurred in 1890, when there were 1,833. These figures signify but little in themselves, but when we learn that the number of establishments involved in these strikes during the period under discussion was 117,509 we begin to appreciate the impor-

tance or influence for good or ill these strikes exerted. During that period there were 6,105,694 employees thrown out of employment. The largest number was in 1884, when over 660,000 people were thrown out of work. In addition to these strikes there occurred during the same twenty years 1,005 lockouts, involving nearly 10,000 establishments and throwing out of employment over 1,000,000 people. In the strikes 90 per cent. of the employees thrown out were males and 10 per cent. females, while in the lockouts 80½ per. cent were males and 19½ per cent. females. And now we learn the power that the organizations exert in these later times as in the ancient periods, for of the whole number of strikes in the twenty years in question nearly 63½ per cent. were ordered by organizations, and of the lockouts 17 per cent. by associations of employers. The average duration of all the strikes was nearly twenty-four days and of the lockouts over ninety-seven days.

The successes of the strikes is a most in-

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teresting feature, and the facts usually disturb the theories of those who have not studied the subject. I have heard it asserted by intelligent men that nearly all strikes fail, yet the facts show that of the whole number occurring during the twenty years, nearly 51 per cent. succeeded, while over 13 per cent. succeeded partly, and but 36 per cent. failed. These proportions are quite as true for the lockouts, for nearly 51 per cent. succeeded and nearly 43 per cent. failed.

It is more interesting still to learn what became of the strikes ordered by the labor organizations. Here again we find similar proportions, for of those strikes ordered by such organizations nearly 53 per cent. succeeded and 33½ per cent. failed, while nearly 14 per cent. succeeded in part. Of the strikes not ordered by organizations—those which were inaugurated by temporary concerted movements, 35½ per cent. succeeded and more than 55 per cent. failed.

The concentration of strikes in certain

localities offers some very serious lessons not only for the economist, but for the sociologist.

Taking those in Illinois, Massachusetts, New York, Ohio, and Pennsylvania, we find that in these five states, which contain nearly 75 per cent. of all the manufacturing establishments involved in strikes during the twenty years, and almost 85 per cent. of all the establishments involved in lockouts, the strikes averaged in the different years very nearly 58 per cent. of all the strikes occurring in 1892 and over 87 per cent. of those occurring in 1897. But it may not be unreasonable to assume that after all the proportion of strikes occurring in these five states was not undue, relative to the capital invested and the number of establishments in these states.

The losses resulting from all these strikes cannot be accurately ascertained, but they have been ascertained with sufficient accuracy to indicate their vastness from an economic point of view.

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It is fairly easy to calculate or even to ascertain the wage losses of the employees, and the assistance to employees by labor organizations while their members were on strike is the subject of very positive information.

The wage loss during the twenty years amounted to nearly \$258,000,000 and the money the organizations spent in assisting their striking fellows was over \$16,000,000, a sum sufficiently large to have enabled these men to establish coöperative plants, or to carry out various plans for improvement and advancement. The losses of the employers has been set at nearly \$132,000,000. This, again, is the subject of fairly accurate calculation, but no method can ascertain the losses of society at large, or of thousands of individuals discommoded, hindered in their occupations and otherwise interfered with.

In lockouts the employees lost nearly \$49,000,000 and paid out nearly \$3,500,000 while the employers lost nearly \$20,000,000.

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The total loss resulting from industrial disturbances during the twenty years then, to employees alone was nearly \$307,000,000; and the total loss to establishments or firms in both strikes and lockouts during the twenty years was nearly \$143,000,000, or a total direct loss to both employees and employers of nearly \$450,000,000.

Now, what were the causes for all these battles? It is comparatively easy to ascertain the alleged causes and where the causes are not clear, to ascertain the occasion of the conflicts. But that other, deeper, underlying psychological basis which must have entered into all these disturbances cannot be ascertained.

Many of the strikes were honest and honestly conducted for legitimate causes; many for trivial causes and those which did not warrant an economic rebellion; but others—and we can never know the proportion—were the result of the desire of ambitious men to exhibit the reason for their existence officially, and

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to show to their unions that they had the power to coerce their employers. When such psychological reasons existed they were kept in the background, and only the appeal to the men that they were underpaid, or oppressed, or working under some conditions which were not agreeable offered as the real cause for declaring a strike.

But doing the best one can, taking only those material causes which have been alleged and ignoring by force of necessity the psychological aspects of the case, we can reach certain conclusions that are valuable in their sociological and economic sense.

Of the whole number of strikes occurring in the twenty years, nearly 21 per cent. were ordered for a direct increase of wages; 11½ per cent. for an increase of wages combined with a demand for a reduction of hours, and about the same proportion for a reduction of hours, while something over 7 per cent. of the strikes were against a reduction of wages.

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It is true, then, that 58½ per cent. of all the strikes occurring in this country during the twenty years involved rested upon the question of wages and the hours of labor. The balance were for a variety of reasons, such as sympathetic strikes against the employment of non-union men, although this number was very small; only 2½ per cent. of the whole for the adoption of new scales; for the recognition of the union 1½ per cent.; for the enforcement of union rules against some particular system like the task system ¾ per cent., etc., etc., but these latter are unimportant in the discussion of causes. In all there were twenty leading causes and they account for nearly 77 per cent. of all the strikes in the country, and based on these leading causes nearly 50 per cent. of the strikes succeeded, over 13 per cent. succeeded in part, while 37 per cent. failed.

You may be curious to know whether these disturbances are indigenous with

us in the United States, or whether other countries suffer in the same way.

Quite a number of European countries collect regularly the statistics of strikes and from their reports the facts can be ascertained. Take Austria, for instance, and we find that the total number of strikes for the ten years from 1891 to 1900 was 2,178, of which number 445 succeeded and 936 failed, the balance succeeding partly. Labor organizations there have the same influence as here, for of the whole number 653 were ordered by them. There were 13,636 establishments involved, while over 456,000 strikers took part. The causes were similar, and in proportion as well, to those occurring in this country.

The facts for Denmark are meagre and apply only to three years, 1897, 1898, 1899, but in these years there were 356 strikes involving 7,312 establishments.

France, in the eleven years from 1890 to 1900 inclusive, experienced 5,112 strikes, with a total number of 1,147,200 strikers

and 18,782,418 days lost by the employees. Of the whole number of strikes 1,216 succeeded and 2,220 failed.

The German statistics are more meagre still and are for only two years, 1899, 1900, but the total number of strikes in these two years, 2,271, comes close to the American standard; 606 succeeded but 1,181 failed, while a very large percentage was ordered by labor organizations, the number being 1,613. The number of strikers was 222,141.

Great Britain has a record of five years, from 1899 to 1903 inclusive, during which 4,526 strikes occurred, 1,815 of them resulting in favor of the strikers, while there were over 1,852,000 employees thrown out of work.

Italy is not lagging behind in these methods, for between 1879 and 1899 inclusive that country, which is not particularly a manufacturing country, had 2,483 strikes involving a total of 623,810 persons and a loss of five and a half million days.

Thus we see that America cannot claim to be very much in advance of other countries in the methods of her working men in attacking their employers. We see so much more about our own American battles than about those of other countries that we think the other countries are at peace, although now and then we do read of the longshoremen's strike or of the engineers' strike—that is a strike of what we should call machinists—or of the troubles in the French coal mines, or of those of various artisans and mechanics in different countries; but we waive all the prestige we have gained when we contemplate the recent strikes of the working people in unhappy Russia.

The question is often asked, What time would be required at increased wages to recoup the loss occurring during strikes? This of course is an arithmetical question, and I was at some pains a few years ago to have constructed a table showing the number of days required for employees to re-

cover their wage losses in wholly successful strikes for an increase of wages.

The table looks very much like a table of logarithms, but it is instructive in the extreme. It was based on 5,443 strikes in which the average wages lost per employee during the strike was \$20.42 and the average daily wage gained per employee on account of the strike 27 cents. It would take, therefore, summing up all these cases, 76 days on the average to recoup the loss occasioned by the strike. If we take the cases of those employees engaged in strikes that were partially successful, we find that the average wages lost was \$43.34 and the average daily gain 12 cents, and that the average number of days required to recoup the loss was 361.

Of course the trade unionist would say, and does say, "What of it? We are battling for a principle, and the losses and gains in dollars and cents must not be considered." The employers also say they are battling for a principle and that the losses and gains

must be considered. Society, the third party, and the one most seriously involved in any labor strike, says, "A plague to both your houses. We are losing not only in money, but in inconvenience, stoppage of business and in various directions." Probably the truth is not wholly with any one of these parties.

There is a deeper question involved than that covered by the alleged cause for which a strike is undertaken.

I said a while ago that the working people of the middle ages, in fact all along after the Christian era to our own age, were not as intelligent as those who conducted the great revolts in antiquity. I must add that the intelligence of the modern working man, the man who has inaugurated all these conflicts, with the statistics of which I have wearied you, is an intelligent being that cannot be compared with those of the past. He has been taught in the schools that he is one of the sovereigns of the land. He is a political factor ; he is in large degree

becoming a social factor. He is certainly an important economic factor, and his intelligence leads him to the conclusion that this being so, he should have an influence in shaping economic conditions.

Fools do not strike. Were our working men everywhere on a par with the serfs of the middle ages we should have but few labor organizations and but few, if any, strikes; but with the intelligence that he has the working man insists that that intelligence shall be felt. He knows enough now to feel his condition and to know that he ought to have better conditions, but he does not know enough to know how to secure them without the brutal auxiliary of the strike.

Macaulay said that the evils of liberty were not to be cured by less but by more liberty; so the evils of strikes, whatever they are, are not to be overcome by a body of less intelligent men, but by a body of more intelligent men; men whose intelligence will tell them how to secure results without

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the methods that have prevailed during the last quarter of a century.

Here is our hope, and during the last year or two we have seen abundant evidence of this supplemental or increased intelligence which will preserve the country from the strife we so much lament. We see in the papers the accounts of the few strikes that have occurred during the past year and we think the old régime of force still exists, but we do not see the vast number of difficulties that are arranged between employers and employees by the practical use of those principles of justice, of humanity, that enter into our own religious beliefs.

I shall have more to say of this later on, but I wish to caution you here and now against any pessimistic conclusion which the era of violence I have presented to you might induce.

You may ask with propriety, What is the attitude of the courts and of legislatures toward this great question of strikes and the

rights, privileges, and obligations of strikers and employers involved in the difficulties?

Up to the early part of the nineteenth century a strike was considered a conspiracy. This doctrine, as derived from the English common law, was applied here, but is construed now in a much more liberal way than was formerly the case.

The trial of the journeymen boot- and shoemakers of Philadelphia, in 1806, to which I have alluded, furnishes an emphatic example. At that trial the recorder particularly asserted that "A combination of workmen to raise their wages may be considered in a twofold point of view ; one is to benefit themselves, the other is to injure those who do not join their society. The rule of law condemns both."

The development of the doctrine of conspiracy as applied to strikes, or rather the growth of conservatism in its application, seems to have been sporadic in its character, for we find the views of Judge Gibson, as stated in the Commonwealth of Pennsyl-

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vania *vs.* Carlisle, early in 1821, more in accordance with modern construction than those of other judges who succeeded him. The fact appears to be that this doctrine of conspiracy was so seldom invoked that it was only half understood by some, including the legal and judicial professions, and in view of the very few precedents and adjudications of cases involving strikes, the decision in each individual case depended upon the research and learning of the particular judge before whom the case was tried. There were not then, and there are only partially now, digests or compilations of laws, precedents, and adjudications in this country relating to the doctrine of conspiracy as it affects the right of the employers or the employees to combine for an increase of wages or for other causes. Some recent works have appeared which are of great importance and usefulness in the examination of such rights.

As I have stated, the first trial in this country for conspiracy to raise wages oc-

curred in 1741, when the journeymen bakers were charged with a conspiracy in refusing to bake until their wages were raised. They were tried and convicted, but what the sentence was the records do not show.

The earliest trial of this character which has been fully reported and of which the record is available was that already alluded to, of the journeymen boot- and shoemakers of Philadelphia, in 1806, before the mayor's court of this city. The indictment against eight defendants was that they had conspired against the peace and welfare of the commonwealth to fix wages and prices, and to do those things the court thought did interfere with the dignity and the peace of the State. A great deal of testimony was taken, one man stating that for several years he had lost as much as \$4,000 annually from his inability to fill his contracts, owing to the refusal of the journeymen's association to allow its members to work in his shop with men who did not belong to

that organization. It also appeared that workmen had been threatened and even severely beaten for working against the orders of the association, and that the modern system of boycotting was in full operation.

The trial is an exceedingly interesting one, as showing the attitude of the courts of that day. The jury found the defendants guilty of a combination to raise their wages and they were fined by the court eight dollars each, with the costs of suit, and to stand committed until the fine was paid.

The methods pursued by organized labor at that early day is evidence of the fact that the doctrine of conspiracy was not understood and that the application of the common law rules gathered from English precedents was unreliable.

In other cases which occurred during the succeeding years of similar character and with similar rulings, the jury usually found the parties indicted guilty, and they had to

pay the fine or stand committed until they did pay it.

So case after case—not a great number to be sure—might be cited to show how judges looked upon strikers. In an opinion delivered by Judge Brady, of the city of New York, in 1887, in dismissing a writ of habeas corpus in a labor case, Judge Brady said :

“No doubt exists of the right of workmen to seek by all possible means an increase of wages, and all meetings and combinations having that object in view, which are not distinguished by violence or threats, and are lawful, therefore cannot be reasonably condemned or justly interfered with.” But Judge Brady took occasion to remark that where violence or threats occurred the combination should end, for it was a conspiracy pronounced, and justly so, to be criminal, and punishable by imprisonment.

The courts everywhere now take this view that men have a right to associate together peaceably to make their demands and to quit the work of their employers,

reasoning that if one man has a right to quit—which no one will deny—two men or a thousand men have the same right, and it is not conspiracy if they enter upon concerted action ; but when they resort to violence or picketing that is not peaceable, or any other methods which involve the life or the limbs or the safety of others, then the participators are amenable under the criminal code of the state wherein the action takes place.

Some judges, and those very high, take the ground that there is no such thing as peaceable picketing to prevent scabs as they are called, or non-union men, from entering the works of the employer of the strikers. Statute law has stepped in with a view to guiding the courts as much as anything, and of protecting the community, but it is only recently that any legislation in this country has been directed toward strikes, boycotts, and conspiracies relating to wages and other demands. In many of the states where

the common law of England was in force men were tried for and often convicted of conspiracy for attempts to coerce their employers by resorting to strikes and their concomitants—the boycotting of non-union men and of those who employed them. In recent years a number of the states and territories have endeavored to make plain by statute how far a combination by employees to raise or maintain the rate of wages, or for kindred purposes, is to be protected; and on the other hand, what acts by such combinations, or by individuals, will subject the perpetrators to punishment under the criminal codes. In the absence of specific legislation in some states the common law on the subject of conspiracy remains in force, and in some others where the common law does not obtain, the absence of statutory enactments on the subject may be accounted for by the comparative rarity of serious strikes or boycotts.

The legislation is varied in its character,

and, to a certain extent, voluminous, but many of the states have, as I have intimated, defined these things and the courts are therefore bound to follow the statute. I need not cite the states that have undertaken to legislate on these matters, except to cite one law which may be considered as representative of the more drastic legislation of the past few years. Alabama has a statute which provides that "Any person who, by force or threats of violence to person or property, prevents, or seeks to prevent, another from doing work or furnishing materials, or from contracting to do work or furnish materials, for or to any person engaged in any lawful business, or who disturbs, interferes with or prevents the peaceable exercise of any lawful industry, business or calling by any other person, must, on conviction, be fined not less than ten nor more than five hundred dollars, and may also be imprisoned in the county jail," etc. Other legislation may be found in the statutes of many states.

But strikes, and boycotts, and intimidations cannot be prevented by legislation. Those engaged in them may here and there be apprehended, tried, and sentenced; but there must be something else than law. There must be methods involving elements higher than the police force of states in order to reach and cure the evil. Whatever evils exist, and whatever the unhappy results of strikes may have been, they have had in varying degree considerable influence upon economic affairs in the organizations of laborers, in calling attention to the relations between employers and employees, and in various other directions.

The complications of a disturbing nature are those which appeal to the public, although I think that during the last five or six years most great strikes have secured the interest and sympathy of the public and that it is chiefly when the conservatism of the wiser labor leaders fails to prevent abuses and the strikers, inspired by temporary successes, see themselves

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marshaled as a power in the economic world, that recklessness takes the place of orderly conduct and the public condemns the action and the men behind it.

It is a great problem and cannot be solved by courts, by laws, by military force, or any drastic measure.

III

GREAT MODERN BATTLES



III

GREAT MODERN BATTLES

THE mere statement of facts relating to the course of strikes in this country as given in the previous lecture conveys but little impression of the intense excitement, the apprehension and the inconvenience of the public during great conflicts.

The public is alternately swayed by sympathy and fear when these conflicts are being waged and it is through peculiar or specific strikes that the influence of the whole method on the public mind is best understood, for during their continuance we are flooded with panaceas, either for their prevention or their regulation and suppression.

So it is well now to consider some of the more important battles which have occurred in our own generation and which may well be designated historic in their character.

In the late sixties and early seventies the public mind was aroused to a pitch of excitement and apprehension never before experienced in this country, through a long-continued series of outrages committed by a secret organization in the anthracite coal regions of Pennsylvania known as the "Molly Maguires." An open strike, no matter how tragical or how disastrous, does not create that feeling of apprehension resulting from the secret actions of an organization like the Molly Maguires. Their depredations may be considered as forming the dark background of our own modern battles.

✓ No great strike was inaugurated by this secret organization, but the murders, wreckings, and other actions by it caused a feverish condition of the public mind, so that when the great era of historic strikes really opened people feared for the continuance of industry and for the general prosperity and business of the country, and when the first great historic strike occurred in 1877 it is

not to be wondered at that the public excitement was so great that the most drastic remedies were considered as the only ones with which to deal with labor uprisings and insurrections.

The very first of these great historic strikes, although many severe ones of less importance had taken place prior to that year, occurred in 1877 on the Baltimore & Ohio Railroad at Martinsburg, West Virginia. The immediate cause of the first strike in that year arose because the wages of all employees had been reduced 10 per cent. ; but this was but one of many grievances which had been growing for a long time. Irregular employment was one of the causes, for men with families to support were often permitted to work only three or four days per week ; the balance of the time they were forced to spend away from home along the lines of the road at their own expense, so they had but little left for their families. Again, wages, which were payable monthly, were sometimes retained two, three or even

four months; the tonnage of freights was increased and the men were paid for the number of miles run, irrespective of the time consumed in running.

This great strike affected in most instances only the freight trains, but when it began there was rioting and destruction of property and loss of life at Martinsburg and Baltimore and various places in Pennsylvania. The state militia at Martinsburg and Pittsburg sympathized with the strikers, affiliated with them, and refused to fire upon them; so the United States troops were ordered from the eastern garrisons, and their presence carried fear to the mobs and they fled. In Cincinnati, Toledo and St. Louis mobs of roughs and tramps collected and succeeded in closing most of the shops, factories, and rolling mills in those cities, while in Chicago a body of reckless men known as the Communists of that day enhanced the excitement by formidable demonstrations. In those cities and in Syracuse, Buffalo, West Albany and Horn-

ellsville, the state militia dispersed the mobs without violence or destruction of property.

What occurred during this strike on the Baltimore and Ohio occurs in all strikes, accompanies all armies and all conflicts where it is not the intention to do violence to individuals or to private property; that is the committing of depredations by the hangers-on, the camp-followers, those who are always ready to seize any occasion as the opportunity for exercising their passions and even their feelings of revenge.

This year, 1877, saw that memorable strike on the Pennsylvania railroad, which was accompanied by riots, many acts of violence, intimidation, and the destruction of a great amount of property. This road, after the panic of 1873, found it necessary to reduce wages, while on account of the general decline in business, another reduction was made in June, 1877. So the employees of the different roads having their termini at Pittsburgh inaugurated serious agitations of a strike on account of these re-

ductions, and the agitations resulted in the formation of a "Trainmen's Union."

The activity of this organization resulted in a plan for a general strike to take place at noon, June 27, 1877, on the Pennsylvania, the Pittsburg, Fort Wayne and Chicago, the Allegheny Valley, the Panhandle, and the branches of these roads; but the general strike was organized to work from Allegheny City. On the night of June 25th, the union consisting of the Panhandle employees held a meeting in accordance with a notice of the day before, emanating from about forty members, to the effect that the strike was to take place. It there developed that other members did not care to enter upon a strike, and further that some of them had disclosed all their plans to the railroad authorities; so measures were adopted looking to the prevention of the strike, and word was sent to all points of the road. Many members of the union, however, felt that in this they had met with defeat, and dissatisfaction resulted.

The great strike of July 19th, at Pittsburg, cannot be designated as a strike of the Trainmen's Union, nor did that union have anything to do with the previous one in July on the Baltimore and Ohio Railroad at Martinsburg. 7

Early in that month the Pennsylvania Railroad issued some orders relative to the hauling of trains, by which the company could dispense with the services of one half of its freight conductors, brakemen and flagmen on the Pittsburg division ; so on the morning of July 19th, on several of the early trains which were to leave Pittsburg in accordance with the orders of the road, the men, consisting of two brakemen and one flagman on each train refused to go out and the trains did not leave the yard. New crews were made up as none of the regular trainmen would take the places of the strikers, but the strikers threw coupling pins, etc., at these men as they were endeavoring to make up the train ; so they were by force compelled to desist. The

strikers, curiously enough, numbered only twenty or twenty-five men, but they took possession of the switches and refused to let any trains pass out. The number of strikers increased gradually and by midnight of the 19th they and their sympathizers numbered several hundreds of men.

It is useless to give the story of this great strike, for it is a long one, but in brief the sheriff of the county could not handle the crowd and the governor of the State of Pennsylvania sent three regiments of infantry and a battery of artillery to Pittsburg. The strikers increased in number, mobs gathered, and on the 20th there were four or five thousand men crowded in the vicinity of the station, ready to be led into any excesses which the excitement attending their collection suggested. On the next day, the 21st, the rioting began and while the troops were getting into position many of the guns of the militia were seized and the bayonets twisted off. The troops made no impression upon the crowd. The mob grew more

boisterous and stones and other missiles were thrown at the troops. Pistol shots were fired by the crowd and the troops reciprocated, and several persons were killed and wounded. The inquest showed twenty-two persons in all who had been killed by the soldiers at Twenty-eighth Street. But the regular firing when it began dispersed the crowd and the troops were left in possession of the field.

It was not for long, however ; when all attempts to move trains had been abandoned and the troops needed rest and food, the mob collected again, and having obtained arms by breaking into gun stores, began to fire upon the roundhouse, machine shops, and the windows of places where soldiers were gathered.

Then the mob set fire to cars, running the burning cars down the track nearest the roundhouse to set it on fire.

On the 22d the strikers obtained a field-piece and were in position to fire on the roundhouse, but the military officers notified

the strikers that if they attempted to fire the piece they would be fired upon in return. No attention was paid to the warning, and when one of the strikers was seen ready to fire the cannon, they were fired upon by the troops and several of the mob killed. Then gatling guns were brought into action, and the sight of them with their death-dealing qualities scattered the mob.

Attacks and counter attacks were kept up until the 23d, when two regiments were marched through the principal streets of the city of Pittsburg for the purpose of quelling any disposition toward riotous conduct which might still exist. A citizens' committee was organized and exercised all its influence in quelling disturbances. Nevertheless, cars were set on fire and attempts were made to fire the station, but the citizens' safety committee interfered and this was about the last attempt at violence at Pittsburg, although it was several days before order was fully restored.

How much this sounds like the story of

the actions in Paris in 1848! It was of the same piece, carried on so far as rioting was concerned more by the hangers-on than by the real working men, although the disturbances were instituted by their initiatory action and their constant agitation. This becomes more emphatically true when we understand that from the very beginning of these great strikes the real employees of the road had the active sympathy of a vast proportion of the people of Pittsburg.

Nearly 1,600 cars, mostly freight but including passenger and baggage cars, with their contents—or such of the contents as were not carried away by thieves and thugs who surrounded the movement, 126 locomotives, and all the shops, materials, and buildings—except one or two small ones—belonging to the railroad company, were burned on Saturday night and Sunday. Tracks and property in other parts of the city were also ruined by fire, the rails being warped and twisted and the ties burned, as was often the case in the

Civil War. All the adjuncts and methods of real war were resorted to to carry out the designs of the strikers.

It was currently reported, and so far as I have been able to learn the reports were true, that a great many old freight cars which must soon have been replaced by new, were pushed into the fires by agents of the railroad company. This was a novelty then, but it occurred in subsequent strikes, and of course the loss of these cars was included in the damages for which the railroad company made claims on the county of Allegheny. It has been estimated that the damage, including loss of property and loss of business, which was inflicted by the mob at Pittsburg amounted to over \$5,000,000; while the actual loss of the railroad company alone, not including the freight they were transporting, was about \$2,000,000. Neither the number of men thrown out of employment, nor the total value of property destroyed through the resulting riots can

be given, but the chief of the Bureau of Industrial Statistics of Pennsylvania made a statement that the total amount of claims presented to Allegheny County—the courts having decreed that that county was liable for all damages sustained through the riots—amounted to \$3,592,789. Two and three-quarter millions of this sum was paid by compromise and judgments in a few years after the strike, but it is only within the past few months that the last sum awarded as damages has been paid by the county.

It is not strange that the whole country was greatly excited during and after these strikes, and the question was constantly propounded everywhere, How can such affairs be prevented, or the causes leading to them be removed?

As a matter of fact both the strike on the Baltimore & Ohio and that at Pittsburg were unsuccessful. The objects for which the battles were fought were not secured. It is not strange that the minds of a great

many people then reverted to the outrages of the Molly Maguires; the fear that the unruly mob, induced to act even by the righteous position of the strikers themselves, might control industry, hamper transportation, and incommode the whole public, grew to intensity, and the drastic remedies proposed were in accordance with the public fears.



The next strike that would be called historic was that of the telegraphers, which occurred in the year 1883. This involved the majority of the commercial telegraph operators in the entire country, extending to the linemen of the commercial companies and then to a few railroad operators, but as the telegraphers are a pretty intelligent body of men they managed to keep the information relative to this strike mostly to themselves. It is known, however, that the strike took place to secure the cessation of Sunday work without extra pay, the reduction of day work to eight hours, and the equalization of pay between the sexes

for the same work. A demand was made also for a universal increase of wages. The strike began July 19th and ended August 23, 1883, although it was declared off by the union on the 17th. The strike was unsuccessful, the employees losing a quarter of a million dollars, and expending \$62,000 in assisting destitute fellow operators; while the employers lost nearly \$1,000,000. The number of persons taking part in the strike was 6,270. One of the companies made a provisional agreement with the Brotherhood of Telegraphers and in accordance therewith resumed business, so while the other companies were resisting the strike the company which made the agreement secured a handsome profit, on account of the increased volume of business which came to it.

This strike must be considered as one of the minor historic conflicts of our time. But it was not long before a real historic strike, or series of strikes, took place.

This was on the Southwestern, or what is

known as the Gould system of railways, and occurred in the years 1885 and 1886.

The shopmen on the Missouri Pacific in Missouri, Kansas, and Texas were dissatisfied with the wages received, and about March 9th nearly four thousand of them struck for a restoration of the wages which had been paid in the previous year. The strike was begun at Sedalia, Missouri, March 7, 1885, and in two days became general all over the system, while during its continuance freight traffic was almost practically suspended. The strike came to an end on the 16th of March, and on the 17th work was generally resumed.

The second strike on the Gould system took place a year later, the trouble beginning at Marshall, Texas, on the Texas & Pacific Railroad, and grew out of the discharge of a foreman for alleged incompetency. This would seem to be rather a trivial occasion for so great a strike as that which resulted.

The discharged foreman was prominent in the local assembly of the Knights of Labor, and on his discharge, this order inaugurated the great railroad strike on the Gould system in March, 1886. It was claimed, however, that this discharge was in violation of an agreement made the year before at the settlement of the first Gould strike, at the instance of the governors of Missouri and Kansas. Other violations were also claimed.

During the month of March all freight traffic was practically suspended on the roads in question, and about ten thousand men thrown out of work, nearly all of them being strikers.

In the latter part of March, on the 28th, the strike was declared off, but the railroad officials declined to treat with the men, except individually—a weakness in corporations which has continued until the present day, although it is fading away, and railroad officials, themselves the representatives of others, are now more willing to treat

with committees, also the representatives of others.

Owing to this declination, on April 5th the order declaring the strike at an end was rescinded. The backbone of the strike was broken by that time, however, and traffic was resumed, but under police protection for a while.

The strike of March, 1885, might have been considered a just one, but that of March, 1886, was ill-judged and no really adequate cause existed for it. The disastrous result and the lack of public sympathy for the strikers bring the two strikes into sharp contrast and mark an epoch in great railroad conflicts.

No really prominent or emphatic battle occurred again—although there were very many strikes in the meantime—until July, 1892, when a most serious difficulty arose at Homestead, Pennsylvania, between the Carnegie Steel Company and its employees at the Homestead works. This difficulty grew out of one in the previous month in regard

to wages. No agreement could be reached, and the company closed its works on the 30th day of June and discharged its men. It is interesting to know that only a small portion of the men were affected by the proposed adjustment of wages. Most of them, however, were members of the Amalgamated Association of Iron and Steel Workers; hence the trouble.

The company had refused to recognize the Amalgamated as an organization or to hold any conferences with its committees; it was proposed to operate the works with non-union men. The union men refused to accept the reduced rates of wages and agreed that they would resist the company in its attempts, whatever they were, to prosecute its work with non-union men. The lodges of the Amalgamated Association organized an advisory committee, with authority to take full charge of the affairs of the strike. All employees of the company were ordered to break their contracts and to refuse to work until the Amalgamated Asso-

ciation was recognized and its proposed conditions adopted.

The working men had already resorted to one of their familiar methods—that of hanging the president of the company in effigy.

Two days prior to the time provided by the contract under which the men were working the works were shut down, and on the Fourth of July the company asked the sheriff of the county to protect the works while they carried out their intention of making repairs, as they declared. The employees, however, organized to defend the works against what they called encroachments, or demands to enter; that is, they would not allow any one to enter on the pretense of repairing the works. As a matter of fact the employees of the great Homestead steel works took possession of them. When the sheriff's men came near, the employees who were assembled in force notified them brusquely to leave the place, stating that they did not intend to create

any disorder and that they would not allow any damage to be done to the property of the company. They also offered to act as deputies in preserving order, but this offer was declined. The advisory committee dissolved and the records of that committee were destroyed.

The immediate occasion of the fighting which took place later on at Homestead was the approach of a body of Pinkerton detectives, who were gathered in two barges on the Ohio River some distance below the works. To make a long story short, the workmen entrenched themselves behind steel billets and prepared to resist the approach of the Pinkerton barges and all attempts to land, the result being a fierce battle brought on by the heavy volley of shots fired by the strikers. The Pinkertons were armed with Winchester rifles, but they were obliged to land and ascend the embankment single file, and so were soon driven back to their boats, many of their men being killed or wounded by the fire of the entrenched

strikers. Many attempts to land failed, the detectives being subjected constantly to a galling fire.

This opening battle, which took place on the 5th of July about four o'clock in the morning, was continued during the day and renewed the following day, a ten-pound brass cannon having been secured by the strikers and planted so as to command the barges moored at the banks of the river. Then another force of a thousand men took up a position on the opposite side of the river, where they protected themselves both by a cannon which they had obtained, and by a breastwork of railroad ties.

In mid-forenoon the bombardment commenced, the cannon were turned on the boats and the firing kept up for several hours; but the boats were protected by heavy steel plates inside, so efforts were made to fire them. Oil was sprayed on the decks and sides of the boats, while many barrels of oil were emptied into the river above the mooring-place of the boats, the

object being to set fire to it and allow it to float against them. The Pinkertons, under these warlike preparations and actions, finally threw out a flag of truce, which unfortunately was not recognized by the strikers. The officers of the association then interfered and the surrender of the Pinkertons was arranged. Under the armistice the detectives were to be safely guarded on condition that they left their arms and ammunition, and having no other alternative they accepted the terms. Seven had been killed and twenty or thirty wounded, and on their march through the streets they were treated with abuse. Eleven workmen and spectators were killed in the fights which ensued.

On the 10th the governor sent the entire force of the militia of the commonwealth to Homestead and on the 12th the town was placed under martial law and order was restored.

Congress made an investigation of this great strike, but no legislative action was

ever taken. The strike was not declared off until November 20, 1892.

The Homestead strike must be considered as the bitterest labor war occurring in this country, prior to that which took place at Chicago two years later in 1894. And the Homestead affair brings again to mind the barricades of Paris in 1848.

The railroad strikes of 1885 and 1886 seem to have been ordinary affairs compared with the great strike in Chicago in 1894, known as the Pullman strike. It was the most extensive and far-reaching labor controversy, so far as railroads are concerned, which can properly be classed among the historic conflicts in this generation.

It began with a private strike at the works of the Pullman Palace Car Company at Pullman, a suburb of Chicago; it ended with a practical insurrection of all the labor employed on the principal railroads radiating from Chicago and some of their affiliated lines, paralyzing internal commerce, greatly inconveniencing the public, delay-

ing the mails, and in general demoralizing business. Its influences were felt all over the country to greater or less extent, according to the interests involved. The contest was not limited to the parties with whom it originated, for there were soon brought into it two other factors or forces.

We need not stop to consider the cause of the original strike at Pullman. It was one of those affairs which needed but little common sense to have been avoided. The Pullman Company was having a controversy relative to the wages of its men—men who were not employed in any way as railway employees. The American Railway Union—an ephemeral organization—had achieved partial success in a contest with the Great Northern Railroad only a few weeks previous to the Pullman strike. It had foolishly taken into membership many Pullman employees, although as stated they were not railway people; but they worked on things that were used on railways, and for that trivial cause were en-

rolled among the members of the American Railway Union.

So when the employees at Pullman had trouble with the company, the Railway Union espoused their cause, on the ground that they were members of the union. This union then numbered about 150,000 members. It was the purpose of the Railway Union to enroll nearly all the railway employees of the whole country, so that when the time should be considered ripe the roads from the Atlantic to the Pacific and from the Canadian line to the Gulf could be struck at one instant, paralyzing absolutely the traffic of the country, and thus enabling the union to dictate terms before business could again be resumed.

The strike at Pullman was therefore premature and the Railway Union was opposed to it, but it felt obliged to protect the Pullman employees in their local controversy. The strike was ordered in strict obedience to David Harum's Golden Rule of horse trading which was, as some of you

may remember, "Do unto others as you think others are going to do unto you, but do it first." The application of this rule has caused many strikes and lockouts, but it is emphatically illustrated by the strike at Pullman, which was ordered May 11, 1894.

The night before the committee of Pullman employees and the executive officers of the American Railway Union held a conference in Chicago and voted unanimously that there should not be a strike at Pullman. The Railway Union officers considered the time not yet arrived to carry out their grand scheme of continental stagnation. The committees went home, but the Pullman committee was authorized to order a strike if during the next few days circumstances arose which, in their judgment, warranted it. About two o'clock on the morning of the 11th of May the committee was informed that the Pullman Company proposed to declare a lockout. The committee then, adopting David Harum's rule,

ordered a strike and thus precipitated the whole conflict. The American Railway Union having declared its purpose to espouse the cause of the Pullman employees entered this conflict and practically carried it on. Then the General Managers' Association, a body of men representing all the roads radiating from Chicago, through what it declared the necessity of protecting the traffic of its lines, made its contest with the American Railway Union. These roads represented a combined capital of more than two billion dollars and employed more than a quarter of all railroad employees in the United States. There were then involved three forces: the Pullman people, the American Railway Union, and the General Managers' Association of all the railroads in Chicago. All these were enlisted in the strife for supremacy, and these forces alone, without reference to the conditions and circumstances attending the strike or accompanying it, constituted this one of the really great historic strikes of America.

The Railway Union declared a boycott against Pullman cars, the General Managers' Association undertook to protect their interests, while the sympathies and antagonisms of the whole country were aroused. The attempt was made to induce all trades in Chicago to join in a great sympathetic strike, but here the American Federation of Labor brought its influence to bear and no general sympathetic strike occurred. Surely here is an instance which illustrates the indebtedness of the country to that great organization which has again and again prevented universal strikes. However, riots, intimidations, assaults, murder, arson and burglary, with lesser crimes, attended the strikes, and troops were engaged, as in the other strikes referred to. United States troops and United States deputy marshals were sent to Chicago to protect Federal property, and to prevent obstruction in the carrying of the mails and interference with United States commerce. They were not sent there to make any attempt whatever to

suppress the strike, nor could they, as such matters belonged to the city and state authorities. But the state militia was called in for some service. The total force employed during the continuance of the strike of 1894 was 14,186, practically an army corps.

All the attending circumstances of the strike point to one conclusion, that a share of the responsibility for bringing it on belongs in some degree to each and every party involved. A vast deal of bitter feeling was generated—so bitter that no party was ready to consider the rights of the others. That is the attitude in all great strikes. The other parties, on the other hand, claimed that they were justified in adopting any means in their power to resist the demands of the attacking party. The probability is that neither recognized the rights of that third party involved, the public, to such an extent as to induce them to forbear bringing inconvenience and disturbance upon it. It was in many respects the most suggestive strike that

has ever occurred in this country and if it only prove a lesson sufficiently severe to teach the public its rights, and to teach it to adopt measures to preserve those rights, it will be worth all it cost. This perhaps is the great lesson of that great conflict.

It is interesting to note that at the investigation made by the Chicago Strike Commission, the head of the American Railway Union was asked: "Is it right for employees, when making demands, to proceed deliberately to paralyze business, especially of parties not involved, in order to enforce those demands?" "Certainly," was the reply. And to the question whether it is also right, then, for employers to resort to any means by which they can resist those demands, even involving stagnation to business, "Certainly," was also the reply. This is the real strike attitude; any method necessary to carry out the purposes of either party can properly be resorted to.

The courts, however, and not the army

of over 14,000 men broke the strike. It was through the injunctions granted by the courts that the strike lost its force. The strike practically ceased about the middle of July.

The losses were enormous. In earnings the roads lost more than \$5,000,000. Thirty-one hundred employees at Pullman lost \$350,000. About 100,000 employees upon the twenty-four railroads radiating from Chicago lost nearly \$1,500,000. But beyond these very great losses were suffered incidentally throughout the country. The paralyzation of transportation, with all the incidents of a great war, gave the people again apprehension and fear for the safety of our institutions. Bradstreet's estimated the losses of the public at \$80,000,000, but whatever the losses were, they taught the necessity of preventing such disasters. This strike illustrates how a small local disturbance, arising from the complaints of a few people, may result in involving a large part of a great country.

The great consolation rests with us that the lessons of the Chicago strike did not fail of their effect. The American Railway Union proposed to break down the noble railway brotherhoods. On the contrary, it broke down itself, and the brotherhoods were stronger than ever in their work. They have been conservators of peace on the railroads, and since the Chicago battle there have been no railway strikes of any importance in this country; and so long as the influence of the Brotherhoods of Locomotive Engineers, of Railway Conductors, of Railway Trainmen, and Railway Firemen is exerted with the wisdom shown during the past ten years there will be no great railway wars. The managers of roads recognize this influence, and deal with it on a manly, businesslike basis.

There have been other great strikes on the railroads, and especially during the period in which the Chicago strike occurred. It was an era—or may so be called—of vast labor controversies.

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The Lehigh Valley Railroad strike, which occurred in 1893, the strike on the Great Northern of April, 1894, the great coal strike which occurred in the same month, and the Chicago strike of June and July—all crowded into the space of seven months—are sufficient to make that brief period memorable.

Passing over many strikes of considerable proportions, we come to the great anthracite coal strike of 1900. This was practically a peaceful affair, and was brought to a successful conclusion through political influence. The coal operators considered it a political "hold-up." At that time business men generally were apprehensive that the financial condition of the country might be greatly disturbed through the coinage system. It was a presidential year, and the success of one of the parties they feared meant free coinage of silver. The operators and business men, without regard to party affiliations, were against this. The continuance of the strike of that year in the

The story of the other side, of the intimidations, violences, murders, boycotts—all the accompaniments of a great labor war—can be told, even at the best, only by a recital of those cases which came to the public attention or were recorded in the courts; and these we have not time to enumerate.

The cruelties, some of them crude and others refined to the last degree of cruelty, were considered as war measures; but when those of us who are not actively interested in a contest of this kind believe

While it was not during a ^{making} ~~making~~ power year it was during a year of congressional elections, and the operators very naturally felt that, having yielded two years before for political reasons, the strike of 1902 was inaugurated at a time when like influences might again be brought to bear upon them, and they were determined that the politicians should have nothing whatever to do with its settlement; the settlement of 1900 left an increased sensitiveness and irrita-

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RWT*Great Modern Battles*

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The United Mine Workers were of course encouraged by their victory of 1900, and so in 1902 thought they would be able to secure that dearest result of all, the recognition of their union. The history of that great strike has been told and re-told; it is familiar to you all, yet it deserves a place

The story of the other side, of the intimidations, violences, murders, boycotts—all the accompaniments of a great labor war—can be told, even at the best, only by a recital of those cases which came to the public attention or were recorded in the courts; and these we have not time to enumerate.

The cruelties, some of them crude and others refined to the last degree of cruelty, were considered as war measures; but when those of us who are not actively interested in a contest of this kind believe that there is but one war-making power in the land, we can hardly comprehend the application of war terminology to the affairs of a strike, especially when, in what is curiously called civilized warfare, some of the practices that obtained in this great conflict in your own state would not be tolerated in a war between nations.

True, the officers of the union deprecated all such practices, made speeches warning the union men against them, and urged

peaceful conduct only, but they were powerless to enforce their precepts. Another thing is true which must be recognized in this great conflict, and that is that the arrests for criminal assaults during the continuance of the strike were not more in number than usually occur in the same area of territory when there is no strike on.

I suspect that all such great conflicts have their comical or amusing sides. Certainly this occurred in the anthracite regions. I remember one case of an illustration that appeared in a well-known magazine owned and published by one of your own citizens here in Philadelphia, of the pursuit of a scab or a non-union man by a large body of unionists. The poor scab was represented as in great terror and fear for his life, and the picture showed him just at the point of being captured. The fact is that the enterprising artist who produced the picture secured about one hundred men to pose as pursuers and one

of their number to pose as the pursued. This man who represented the terrified scab was a union man, and the whole thing was arranged for effect.

A number of such instances occurred. They served to irritate and alarm the public, but without them there was a sufficient number of cruelties, intimidations and violences to alarm any man who cared for the welfare of his country.

We need not discuss the culpability of either side; it existed in both parties. The great third party to all strikes—the public—was not considered, and the chief result, the cruelest of all, was the coal famine, precipitated by the lack of a sufficient amount of moral courage and patriotic devotion to have prevented the occurrence of the contest, or to have stopped it before the public suffered from its consequences.

It was the greatest labor battle of our country, on account of its extent, the elements which entered into it, and the methods of its prosecution. But it was the

greatest for another reason, and that is because in the end reason and moral force won the strike, and the strikers and the operators yielded to the decision of the most powerful tribunal in any land—the opinion of the people. It was the greatest battle again, because of the action of the president of the United States; and this action I would like to have you clearly understand, because of the allegations made at the time, and because of the fears that now exist that the chief executive may interfere in any industrial crisis or that labor organizations may appeal to him to assist them.

Many people in October, 1902, felt, and many people now think, that the president interfered in the coal strike of that year. There may be reasons for the existence of such feeling, but the fact is the president did not interfere in the conduct of that great strike.

In June, pursuing actual lawful means, that is, acting in accordance with the pro-

visions of Federal law, the president sought to ascertain the facts through the officer designated by law to supply such facts. But the strike went on, the suffering of the people increased, apprehension became more and more intense. Early in October, with a view to assisting the parties to come to some reasonable agreement, the president invited a conference of the chief coal operators and the chief officers of the United Mine Workers of America in his office at Washington. On the assembling of this conference—and all invited came—the president stated emphatically that his sole purpose in calling the conference was to listen to any suggestions which any or all of them had to make to him; that he had no suggestion whatever to make relative to the conclusion of the great controversy. The conference adjourned without any definite action.

Public excitement grew apace; public apprehension grew faster than the excitement. Careful and conservative senators

of the United States avowed their readiness to authorize the president to take any drastic measures necessary to bring the controversy to a close. Politicians everywhere, economists, sociologists, were quite ready to fall into line with the State Socialists and take possession of the coal mines and operate them in the interest of the people. No such feeling had ever been generated by any other of the historic strikes. Here was a new phase, a new danger, a new element.

A few days after this celebrated conference, which occurred on October 3d, the people of New York were apprehensive of great riots—coal riots like the bread riots that had occurred in England—and all at once the largest operators sent a request to the president for the appointment of a commission, to which they were willing to leave all the points of the contest, pledging themselves to abide by the decision. You can imagine that the president was greatly gratified, and he immediately sent to the

officers of the union asking them if they would consent to the same terms, which consent was promptly and unanimously given. Then the president appointed his commission, and with its appointment his appearance in the coal strike affairs ceased.

The operators might have invited any other citizen of the United States to designate a commission, the Governor of Pennsylvania, any judge, any private citizen, and have agreed, as they did agree, to abide by the decision ; but the president was the chief executive, he was the most prominent man in the country, his judgment was relied upon, and so they simply invited him to name a commission. If any man cares to condemn, or even to criticise, this action on the part of President Roosevelt, he must do it without understanding the facts or else by reason of a peculiarly constructed mind.

To be sure the commission when it was appointed had no power, except the power delegated to it by the parties in controversy,

and not by the president. It was extra-judicial, it was extra-legislative, it was extra-everything that you may choose to apply to it, but it was the board of arbitration selected or agreed to by the parties themselves and its creation must remain as the action of the parties to the controversy.

It stopped the strike immediately as by agreement. The parties had a court before which they could state all the facts and opinions which they cared to bring before it. For five months the commission was engaged in taking testimony, giving every party on either side the opportunity to present his case, and every member of the great array of counsel was given the chance to present the testimony he saw fit to bring before the commission. Thus in five months the commission heard 566 witnesses and took down over 10,000 pages of testimony; and the good it did, again making this strike one of the most emphatically historic battles in modern times, grew out of the fact that employers and employees

were brought face to face and could frankly and safely state the facts of which they were possessed, or the views held by them.

Each learned something of the other, and when the award was finally made, which was practically an agreement to continue for three years, both sides acquiesced, and they have lived fairly peaceably and reasonably since its promulgation.

Here is the other great good that has come out of that controversy,—the recognition of moral principle, the recognition of manly action, of mutual conciliation. In its settlement we trace all the attributes, all the elements of that first great attempt—so far as the records show—to induce men to come together on a common basis, and that was when Isaiah, six hundred and fifty years before Christ, finding the troubles that existed in Jerusalem beyond his control, asked the chief men to meet him and said to them: “Come, let us reason together.”

This story of historic strikes—and there

are those who would include other disturbances than those I have mentioned—ought not to be closed without reference to the disturbances in Colorado in 1903. But those disturbances can hardly be brought into this category.

They were peculiar and during their continuance the country at large thought that the whole state of Colorado was affected by them. The conditions which brought them about had continued for twenty-five years. During that period there was a series of strikes, practically thirteen different controversies, beginning in 1880 at Leadville, the others occurring at various places during the years 1894 to 1904 inclusive.

They were all attended with much excitement and more or less disorder, but the most extensive of them all was in 1903-4 through the action of the gold miners at Cripple Creek. During that term there were serious interruptions to the mining industry of the state, but it requires some expansion of our understanding of what con-

stitutes a historic strike to bring these into that list.

It should be stated, however, that during 1903, out of the fifty-nine counties in the state of Colorado, only four were affected by the strikes. All the other counties were as peaceful as any state in the Union.

There were very many elements entering into the disturbances that were peculiarly unique and that have not accompanied other affairs, such as the organization of the Citizens' Alliance, which immediately engaged in actions for which they had condemned the miners. The miners had deported non-union men. This was a favorite method of getting rid of persons obnoxious to the unions. The Citizens' Alliance immediately retaliated by the deportation of union men and their sympathizers. Murders, boycotts, illegal imprisonments, injunctions, all the chief paraphernalia of the modern labor war were employed. The total expense to the state for the various military campaigns on account of labor

disturbances from 1880 to 1904 was over \$1,000,000.

The whole story is a tragic one, but can hardly be crystallized into a brief history.

The long-continued chain of disturbances in Colorado has left its mark in the four counties involved, and to a considerable extent upon the whole state and the public at large. The real facts were distorted and misrepresented, and it was hard to ascertain them; but they were ascertained by the investigation I conducted and they are to be found in full in a report upon them.

The last strike, which began in November, 1903, and ended in June, 1904, although savage and brutal, did not affect the country materially like the coal strike of the year before. None of us felt the effects of a reduction of the producing power of the mines and smelters of Colorado. We heard only of the individual outrages, whether committed by strikers or important citizens through their secret organizations. Politically the effects of the strike were felt

in Colorado. They helped, however, to a feeling that there must be some way by which such controversies can be prevented, or, if they occur, suspended; and so we have come to that point in this course when the treatment of strikes and the efforts to prevent or settle them must be considered.

IV

HOW MODERN BATTLES OF LABOR ARE TREATED



IV

HOW MODERN BATTLES OF LABOR ARE TREATED

FROM the time of the Mosaic law, the laws of Numa Pompilius, the Solonic dispensation, the Twelve Tables, the Code of Lycurgus, and the Aggrarian laws before and during the reigns of the Gracchi, to the latest session of any legislature in any of our states, in all lands and in all countries, attempts have been made through positive enactment to regulate or to fix, in ever varying degree, the condition of the workers of society.

It has been always, as it is now, a popular idea that through law men can be made better and their acts supervised. This course has been natural and quite logical, for what we call problems are ever appearing and their solutions are ever being sought.

But what we call problems are simply new conditions growing out of the evolu-

tion of social and industrial forces. We have the temperance problem, so-called, and yet not many years ago there was no such problem. Increased intelligence, the increased sensitiveness of the public conscience, are ever bringing things to the front to be dealt with by society, and what was once a matter of ethics, an action constituting perhaps a moral obliquity, is now a matter for the criminal code to be punished as a crime.

On the other hand, there are other matters which were once considered crimes, like the combination of labor resulting in strikes and all the concomitants of labor conflicts—excluding of course intimidation and violence—that are not now regarded as crimes, but the natural result of the evolution of economic forces.

The complications of modern society—using that word in its broadest sense—are the complications which come of the recognition by each man of others' rights, and of the recognition by governments of

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individual rights, privileges, and duties. The old conflict was that by which man secured the right to live. The clash of arms in primitive societies meant physical development, and all the struggle for existence meant this; it was as natural and as logical as any other conflict.

The change gradually came to the world from militancy to industrialism, not the struggle for existence but the struggle for subsistence; then when the struggle for subsistence ceased primarily by doing away with the old iron law of wages, the struggle was broadened to that for some of the æsthetic potentialities of life, some of those things which mean culture in some degree and those attributes of man which are necessary for his becoming not only an economic, but a social and political factor.

The claims of labor to-day are in this direction. So we went through the great clash of ideas at the beginning of our civilization, and this clash meant mental development. We have been through the

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clash of ideas in the theological world, and this clash meant spiritual development. Now with the struggles under industrialism we have the evolution of conditions which we like to call economic problems.

The sociologist who has studied society in its growth and understands ever so partially the unfolding of the elements which make society, sees that conditions are not and cannot be problems. They are results, not causes. Therefore all proposed solutions for social and economic difficulties must be in the nature of systems and attempts to modify conditions in order to bring about results other than those existing.

Yet many of the proposed solutions of existing problems, or methods for developing existing conditions, are worthy of study and consideration, even though they may not contain within themselves any effective remedies for supposed or recognized evils. There are men who apparently look on these conditions, or economic problems, if

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you prefer to give them that name, as arising primarily from somebody's vicious conduct, and these are the men who always have a panacea—a machine method—by which better conditions are to be secured.

Yet John Stuart Mill tells us that there is not any one abuse or injustice prevailing in society by merely abolishing which the human race would pass out of suffering into happiness. This is a broad economical as well as social truth and helps us to approach any proposition which looks to the betterment of conditions with some scepticism, unless the proposition is based on the broadest humanity and on the practical application of the great principles which make Christianity what it is.

It is perfectly easy to arraign society and say that it is at fault because it does not accomplish the ideal of the special pleader, and this is particularly true when we are dealing with strikes—the blotch which appears upon the face of industrial society as

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the result of some impurity in the blood. The crank, the man who sees something very clearly but not in its true relations, would deal with these blotches alone but would not adopt a constitutional treatment which should, through the purification of the blood, remove the blotches. This statement becomes intensified in its significance when we understand what labor is. I think I like Ruskin's definition better than any other, a definition which I have already given. That is: "Labor is the contest of the life of man with an opposite."

Here again we get the very underlying elements of labor strikes, and in this we find the deeper philosophy underlying the whole question of labor, especially as evidenced by its battles. Legislation evidently has not cured the blood ; it has not changed the conditions out of which controversy grows. It has always, until later years, been drastic in its nature, and as a rule has resulted in more harm than good. At the present time the courts are great factors

in the treatment of strikes and of strikers. This I shall refer to later.

Outside of legislation from time immemorial there have been efforts—and they have been scattered all through history—to remove the incongruities attending production, to relieve the unhappy lot of workers through some communistic or socialistic movement. I need not pause to describe these efforts; they are all summed up in a very few words, that in the ownership not only of the property, but of the tools of industry by society itself the workers would be made happy.

Communism is the basic element of all socialism. Socialism in its drastic form—and I mean social democracy as preached in Europe but not much in this country—advocates the old, old method that in ancient, as well as in modern times, has proven so disastrous whenever the attempt has been made to establish a state upon its principles. No such state as yet has ever been established. The causes of the failure to estab-

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lish such a state are to be found chiefly in the constitution of human nature.

Fundamentally society under any communistic régime is to be conducted on the basis of a man's being called upon to work according to his capacity and of receiving goods or commodities according to his needs. In an absolutely pure, unselfish state of society where judgment, integrity and loyalty to the principle obtain, provided every individual united with the community, such a measure of work and compensation might be ideal; but it has never taken men long under it to understand that their capacity was exceedingly limited and their needs not limited.

Of course the fundamental basis of all such attempts by labor or by society through communistic methods, or by organizations of labor, or by men individually—ancient or modern—is to secure more than they are getting. How to get it is the great question. So far, in answer to this question

we have had the laws referred to, communistic attempts, strikes,—and yet the question is a universal one; each one of us asks it, How shall we obtain more for the services rendered? The man in receipt of \$2 per day wants \$2.50, the man getting \$2.50 must have \$3, the \$3 man must have \$4, and the \$5 man \$10; the man who is in receipt of \$5,000 a year salary thinks he ought to have \$10,000, and the \$10,000 man can live up to \$20,000 easily. This is the labor question so far as compensation is concerned, and it belongs to the capitalist, to the professional man, as well as to the man who works for daily wages.

It is the universal question. Naturally the economist says that it can be answered only by increased efficiency, and that efficiency will be gauged by society; laws, strikes, all the accompaniments, all the machinery adopted to secure this increased compensation have little or no effect, except here and there and now and then when a strike results in an increased wage. The

difficulties underlying the problem are not economic alone ; they are ethical and belong to society as an ethical organization, for society recognizes that there is no greater inequality than the equal treatment of unequals. The immorality of equal compensation for unequal services is an immorality which society always recognizes, no matter what the attempts may be to secure the inequality of compensation for equal services.

Legislation therefore, whether supplied by the organized legislative bodies of the world, or that coming through the committees of a communistic society, or that coming through the laws and declarations of a trade union, cannot be relied upon either to avoid strikes or to satisfy the strikers.

How often we have been told that certain laws would solve the labor problem, and yet, beginning with the act known as Sir Robert Peel's Act of 1802 to the present time, we have had 104 years of distinctive labor legislation in the mother country and

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in this ; we have had the inspection of factories here by law ; we have had legislation regulating employers' liability, the hours of labor, sanitary conditions, and yet I think no one would hesitate to say that the labor question is as intense to-day as at any time during the whole 104 years.

Laws have not avoided strikes, and in only slight degree have they had any influence in settling them. I mean statutory provisions, and not the acts of the courts.

There is of course within socialism certain constructive elements which must be applied in all these matters if we hope for a better condition. The best definition of modern socialism with which I am acquainted is that made by Mr. Fairman, a member of the London Fabian Society, a socialist organization. He says socialism is not a system nor a method, but a criticism ; and this is quite correct.

The constructive elements of any socialism lie in the fact that socialism criticises conditions. It is constantly arraigning so-

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ciety and bringing out the defects in the industrial system. They are thus brought to public view, when perhaps if the socialists did not exist the public might not be so thoroughly informed. It is when the socialist undertakes to settle all these questions by a revolution in the form of government, by ignoring the inherent qualities of human nature itself that the fault comes to view.

This is true because commerce and industry are competitive. They are growing more and more coöperative. Individualism prevails as against collectivism or social service, and yet collectivism is the great dynamic of society. It is in this latter power that there is to be found, perhaps more than in any other feature, a method by which society can rid itself of labor wars.

But collectivism expresses itself in various forms. It is socialistic. The word collectivism is adopted here and there by socialists to take the place of the word socialism, for it means transactions for and by collections of individuals; collective

trading, collective bargaining, mean the trading and bargaining by collections, and thus all such movements introduce an element of socialism.

I think the time has gone by when we should have any fear of the word socialism. It has no very powerful menace in it; the kind we know in this country is harmless. It expends itself in the propagation of ideas relative to municipal and state ownership of some of the utilities which are necessary for our comfort and welfare.

The first expression which collectivism gave in any crystallized form was in industrial conciliation and arbitration, as the means both for preventing strikes in the first place and for settling them in the second place. The principle of conciliation is growing. In its very nature the word itself betokens a spirit of recognition of mutual rights; the willingness to come together and talk over the affairs of an industrial establishment; the desire not only to talk them over, but to adjust differences

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of opinion, to adjust the attempts to regulate the conditions whereby all parties can work with more or less harmony and contentment.

Originating in France as a matter of history, it has spread over Europe, has become one of the leading features of industrialism in England, and is in use in this country to a far greater extent than the public supposes.

In simple terms it means that the employers and employees in a great productive establishment, or any other concern devoted to industrial pursuits, shall each appoint committees—standing committees—fairly representing each side, to which any differences, or controversies, or demands, no matter from which side they emanate, can be referred. This joint committee then has the opportunity, because it has the ability, to secure each from the other the very information needed to discuss all matters in a friendly way, in a manly way, and thus come to a conclusion by which a strike is avoided.

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The work of the Anthracite Board of Conciliation is significant not only in itself, but in its results. From its organization, in June, 1903, up to August, 1905, one hundred and forty-one cases were submitted to it for arbitration. Ten were complaints by the mine owners and one hundred and thirty-one by the mine workers. Of the total number of complaints submitted, forty-six were withdrawn and twenty-eight were not sustained, making seventy-four complaints which had not sufficient basis to warrant their presentation to the board. Of the remainder nineteen complaints were sustained, three were partly sustained, eleven mutually settled, three compromised and thirty-one were left pending. Seventeen cases were sent to an umpire, the board being evenly divided on them. Most of these cases were decided against the miners, but the decision in all cases, whether against the miners or against the operators, was accepted as final, and no break in the work of the mines occurred. There was hardly

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one case disposed of by the board or by the umpire, which, under other conditions, would not have precipitated a strike.

Such a course involves the very highest ethical elements in men, so far as business relations are concerned. It is the practical application of what I feel bold enough to call "righteousness in industry."

Now, a man has no right on the lecture platform to use that phrase, "righteousness in industry," without explaining what he means by it. Industrial conciliation involves it.

A few years ago, just after the great exposition at Chicago, many railroads in this country were crippled on account of having overstocked their roads with cars. Times were bad, as you will remember, after the panic of 1893. The great Southern Railway, like many others, found it absolutely necessary to reduce wages. After working under the reduction for a year or two the men of that system made a demand for a restoration of wages, and the committee

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came to Washington and presented the matter to the managing vice-president of the road. He wished to take it up and discuss it with the committee, but the president of the road said to him: "Baldwin, there is no such thing as ethics in the conduct of a railroad"; but after some argument he said, "Well, try it on and we will see how it comes out." So the managing vice-president met the men, told them to come again on such a day and he would lay before them the whole business of the road. They came on the appointed day, and he had a printed statement of receipts and expenses, a statement relative to the non-payment of dividends on stock, the struggle of the company to pay interest on its bonds, and all the facts concerning the conduct of the business of that great road of about 4,000 miles and having 6,000 employees.

They discussed the matter for days, mutually, manfully, each recognizing the dignity of the other. They adjusted some

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injustices, but there was no general increase of wages. The men were entirely satisfied when they learned the facts, and when the conference adjourned they went home with a new dignity in their characters. They had been met by great official railroad magnates as men equal to them, and had been treated in a manly, businesslike way.

Where was the victory? You know who Baldwin was. You know that a monument is being erected to him in acknowledgment of his great services and his greater character. He applied the practical principles of industrial righteousness. Afterward when he was sought as the president of a great enterprise, he said to the directors: "You probably do not want me. You know how I treat labor; you know that I confer with the committees of their unions; you know that with them I discuss all matters; I think you do not want me." And the chairman of the board said: "Baldwin, that is why we want

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you." So he was elected to that great position which he held until his death.

Then there is another instance which I never weary of relating, which was told me by Mr. Abraham S. Hewitt, whose works at one time had been running at a considerable loss, during which they had reduced wages ten per cent. The men after a while were weary of the lower compensation and asked to have their wages restored. Mr. Hewitt did not say to them what Pharaoh said to Moses and Aaron, but he said: "Boys, it is your right to come here and make this demand; not only that, it is your right to know the facts and know why we cannot meet it, if we cannot, and so if you will send an accountant here he shall have all our books, and we will abide by his report." The men accepted the offer, chose their accountant and when they received his report again waited upon Mr. Hewitt and said: "Mr. President, we have come to withdraw our request for a restoration of wages. We know your situation;

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we know you are losing money, and the union has unanimously asked us to recommend to you a further decrease of ten per cent. in our wages." This suggestion was not adopted, but Mr. Hewitt, in telling me of the incident, said: "Do you think anybody could get up a strike in our works?"

This is righteousness in industry. It does not mean any complicated machinery or method or any process that cannot be seen and understood; but it is the simple, direct, moral, Christian way of men meeting men. It is the Pauline method of settling troubles in the church, and it is the only method by which any controversy should be dealt with.

Here is the first expression, then, of this principle known as collectivism. It grew out of the endeavor to settle strikes, after they were once declared, through arbitration. Arbitration in its final analysis is the purest kind of socialism, because it is the effort of society to adjust affairs between contestants in any industry.

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A strike is on, the community is discommoded, is meeting with losses, is suffering, and it says to the parties directly involved, "If you cannot conduct your business affairs in such a way as to avoid discommoding us, we shall be obliged to help you conduct them."

Arbitration is not a solution of labor problems; it is not a remedy for strikes, but it is one of the highest and grandest methods for settling a war after the war has begun.

One of these days bodies of employees or employers, whether individuals or corporations, which so misconduct their affairs as to bring about strikes will be held in public estimation as are those men who are guilty of fraudulent bankruptcy.

We all know the great power of arbitration. We know what it can accomplish, and we know how it fails. We know what it did for this country four years ago; and it was not because either party wished to resort to it, but because the public, that

great third party involved in all strikes, through its opinion compelled the contestants to refer their differences to an impartial body. But it is collectivism after all. It is the negotiation of one body with another.

There is now a form of collectivism, practical, businesslike, humane, and moral, which bids fair to accomplish more in the avoidance of strikes, and in the treatment of strikes after they occur, than any other which has been suggested ; that is what is now known as collective bargaining, a new force comparatively but one which expresses the most important principles of industrial management. Let us see what it is.

A thousand men, we will say, decide to go into the business of cotton manufacturing, and they subscribe their money toward the stock of the corporation. The stockholders meet for organization. They immediately see that they cannot conduct the business ; the body is too large, a thousand men cannot attend to the innumerable details of the business transactions, so

they choose a committee of twelve men, it may be, to represent them, to conduct the affairs of the cotton factory. The twelve men, who are commonly called directors, organize, and they find that they are too numerous to attend to the daily affairs and details of the business, even though they can meet often as the stockholders cannot; so they choose a manager. The manager therefore is the man who conducts the ordinary business affairs of the concern; he represents the directors and is responsible and accountable to them; the directors are responsible and accountable to the stockholders. Every time this manager hires a man or buys goods, materials or what-not necessary for the conduct of the business, he indulges in collective bargaining; that is, he bargains or trades for the collection of individuals.

The factory cannot run, however, without a thousand operatives. The thousand operatives after a while think it is for their interest to organize a union and they have an

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executive committee. Trouble arises, or the organization thinks there should be some change in the rules of work, or an increase of wages, or a reduction of hours, or something else which seems to them of importance, and they delegate a committee to wait upon the manager for a consultation. The manager says, "I cannot deal with you as a committee of our employees; I must deal with our employees individually." In other words he, the crystallized representative of collective bargaining himself, refuses to bargain collectively with his employees. Now, a case has been known where the committee, refused a conference as stated, has afterward been called upon by the manager to adjust the affairs of the factory and the committee has replied, "No, Mr. Manager, we cannot deal with you; we will deal with the stockholders individually." This answer is just as logical and just as ethical as the statement of the manager; both parties were unreasonable, illogical, and unethical. Each should have dealt

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with the other as representing the constituency behind them.

That is collective bargaining, where the manager or the board of directors on one side and the committee of employees on the other come together and make their own arrangements. So out of that situation has grown what we call the trade agreement.

The trade agreement is a compact between the employers and the employees, stipulating all the terms of employment, rules and conditions of the works, wages of the people, etc., and also stipulating that whenever any difference arises, whether on account of propositions of the employers or employees, such differences shall be referred to a committee, usually called a conciliation committee, specifically defined in the compact.

This is the highest type of collective bargaining.

The trade agreement offers every opportunity for the highest forms of conciliation, and it is performing an immense service in

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all industrial relations. It is quiet in its action, but effective, and the instances of the breach of agreement by either the employers or the employees in this country are so rare that reference hardly need to be made to them.

You will remember that in 1903, during the pendency of the work of the Anthracite Coal Strike Commission, the bituminous members of the United Mine Workers of America met in Indianapolis for the sole purpose of considering the propriety of canceling the agreements between them and the bituminous operators. The bituminous operators were making great profits, on account of the shortage in the anthracite coal supply. The convention met, discussed the matter, and unanimously voted not to break the agreements.

Could there have been a greater moral lesson in teaching the power and the virtue of the trade agreement than that action of the bituminous miners?

In England this form of agreement, or

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rather this method of avoiding open conflicts, has existed in many of the leading industries of that country for more than thirty years, and in those industries where it has applied there have been no disturbances, no strikes, no warfare.

In this country for some fifteen or more years certain great industries have used the trade agreement, and the public has never heard of the establishments utilizing it, except through their advertisements of goods for sale.

Here and there of course trouble occurs, even with the existence of the agreement, and a few instances of breach of agreement have occurred; but on the whole it has worked admirably and has prevented strikes. The results of the adoption of the trade agreement, however, are not exploited by the press. We hear of the strikes that occur, we know the progress of the battles, as we hear the exaggerated accounts from morning to morning, and we think the country is being disrupted by labor wars;

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but we do not hear of the thousands and thousands of cases that formerly might have resulted in battles being prevented by this moral instrument, this instrument which brings men face to face in a temper suited to discuss calmly and in a businesslike way the differences that exist.

Another great moral influence grows out of the trade agreement, and that is, it brings to the front the ablest men in the unions. The men must be competent to deal with the employers in their business affairs.

Sometimes these trade agreements provide directly for the open shop. The union does not care so much for the open shop as it does for the recognition of the union as a factor in the enterprise.

• Nearly all leading trade unionists are opposed to strikes. They order them as a last resort. I think, however, they are quite unanimous in advocating the necessity and the usefulness of the trade agreement. Hence a resort to this particular feature of collective bargaining will more and more

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relieve the public of the inconvenience resulting from a labor battle.* It will not only do that; it will avoid some of the illogical doctrine which now too often actuates the union in its consideration of differences which arise.

The trade union is a voluntary social organization and is, therefore, like all other organizations, subordinate to the laws of the land; it cannot enter upon legislation in the establishment of rules that are inimical to the laws which apply to every one else. Yet the union, in its endeavor to secure its own ends, often sets up a distinct governing agency and assumes to control those who do not join it, and to deny to them the very personal liberties which the members claim for themselves, and which the constitution and laws guarantee to every person.

* It was Abraham Lincoln who said, "No man is good enough to govern another man without that other's consent." This grand principle applies to trade unionists as well as to every other citizen.*

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The union by its rules assumes to interfere with the management of the business of the employer. These are things that under the trade agreement are quietly and morally settled and not left as irritating elements existing between employer and employee. The trade agreement thus induces confidence, the lack of which leads to more trouble perhaps than any other one element.

It is often alleged, and with considerable truth and justice, that without force, intimidation, violence, and boycotts a strike could not be carried on. That is to say, a strike is organized for the very purpose of coercing employers, and that this coercion would fail were it not for the apprehension created by some form of lawlessness. All these forms of lawlessness are too often considered as war measures, and those who urge them or set them in operation do not consider the moral bearing of the matter. This is a very serious danger point, and one that is being recognized more and more by the lead-

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ers of great organizations. Many leaders now say with equal justice and truth that, while they may have the sympathy of the public at the inception of a strike, the moment lawlessness of any kind begins, the sympathy of the public is lost; for the public insists that if there is any justice in the claims of the strikers they should rest upon that justice and not upon war measures to establish it.

There are very serious complications even in this question. It is perfectly true that in some of the great historic strikes which have been described, the employers themselves have instigated acts of violence. This was for two reasons. First, so long as there were no such acts there was no occasion to call upon the constabulary or troops, but with such acts they could reasonably call upon the executive, either of the city or of the state, to interfere. In the second place, these acts have been instigated by employers in a few instances for the very purpose of alienating public sympathy from

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the strikers. Recognizing perhaps the justice of their case, they have sought to destroy public opinion through acts of violence. I have been convinced during the investigation of strikes which it has been my duty to carry on that these two statements are true. I am very glad, however, to know that they have been very rare in the history of strikes. When they do occur it is easy to see what a thoroughly irritating element is introduced into the conduct of a strike on the part of the employers.

The union leaders know well that in order to succeed in any great strike they must have the sympathy of the public. This feeling has been emphatically expressed by the United Mine Workers' Journal in the following language :

“ A strike cannot be won unless the reason for it appeals to public sympathy, and bad faith does not so appeal. A strike must be based upon grounds of justice and reason, and to remedy conditions that will

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bear the scrutiny of the just and the misrepresentations of the unjust."

Another irritating event sometimes occurs, at least I have known of it several times, and that is where a manufacturer, being overstocked with goods, finds it necessary to shut down his works until his stock is reduced. He does not wish to have the reputation of closing down; so, through some tool or tools among his employees, some absurd demands are made on their behalf, which are promptly rejected, and a strike ensues. In such cases the strike lasts only until such time as the stock of goods has been reduced to the point which the manufacturer considers the proper one, and then by an arrangement with the committee, or otherwise, work is resumed.

I am glad to say that this almost criminal resort to a strike is very rare; but, when it occurs and it is known among the body of employees that it has occurred, one can easily understand that the future relations are strained at least, and that there is no

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confidence existing between employers and employees.

These things are in the nature of intimidations, and are introduced here only to show some of the exceedingly irritating elements of some controversies. They are not approved by unions or by employers generally.

I think all men, or nearly all men, understand that the union itself is a benefit. This is certainly true of England, and the employers of that country would not have the unions crushed if they could. Their development has been one of real though slow improvement in the relations between employer and employee.

All combinations of men, however, no matter in what direction they are made or what purposes they propose to achieve, have elements of evil in them. They are new and powerful forces, and they are factors for good or ill as they are managed or controlled with wisdom or unwisdom.

Any strike ordered by a well-managed

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union which seeks no more than the enforcement of demands which have been presented, or which is organized for some supposed benefit of its members, when no law of society is transgressed, whether wise or unwise in the inception and purposes, is an exercise of nothing more than the legal rights that belong collectively or individually to its members; and whatever coercion results from the demand or from the strike itself is not now considered illegal, nor does the law condemn it.

It is the indirect consequence of the legal exercise of the right to work or the right to cease work, but when such a strike is organized with the idea that its purposes can be accomplished only by intimidating the employer or intimidating the non-union man through any form of violence or otherwise, or through a boycott which threatens to destroy business or to incommode or injure innocent parties, then the law condemns it, and rightly; and it is then that the idle and the

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vicious associate themselves with the minority of the strikers and give color to the whole conflict.

It was said by the Anthracite Coal Strike Commission that a labor or other organization, whose purpose can be accomplished only by the violation of law, has no right to exist. On the other hand it may be said with equal force that an employer who resorts to some of the methods already indicated, in order to gain his ends, has no right to continue in business.

All this means that the non-union man has the same right to exist, and to exist peaceably, as the man who belongs to the union.

Out of strike methods has grown what we know as the boycott. It is a weapon of cruel creation, unmanly, cowardly, and unpatriotic. The boycott of course has existed since the human race existed. Everybody boycotts somebody at some time. There are decent and polite boycotts like those where a merchant who does not

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employ labor under sanitary conditions or at good wages cannot sell his goods if a certain association can prevent it, and there are the cruel boycotts that result in murder and the destruction of property. Actual cases of such boycotts are to be found during every great strike.

In the coal strike an innocent and competent teacher, who happened to be the daughter of a non-union miner, was dismissed by the school board on the threats of the union, and a boy working in a drug store was dismissed because his father returned to work before the strike was declared off. His employer was threatened if he did not dismiss him. These are forms of boycotts which ought to be brought under the severest condemnation of law, as they are of society itself.

If A considers a dealer, B, as dishonest he has a perfect right to say to his friends, "I do not trade any more with B, and I advise you not to," for such and such reasons. That is a boycott; we all indulge in

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it; it is legitimate. But when A says to his friends, "If you trade any more with B we trade no more with you, and if that does not succeed we destroy your business," that is a crime; that is not a lawful method of prosecuting one's claims.

The boycott is carried on so secretly when strikes are on that it is difficult to reach; but in whatever form, where it results in the injury or even inconvenience of another, it is the worst kind of tyranny, and no free society should tolerate it.

In some instances, as I have already intimated, these practices which are called war measures would not be tolerated in what we designate civilized war; for in civilized warfare women and children and the defenseless are safe from attack, and a code of honor which would condemn such practices as I have described controls the parties to such warfare.

All these matters, cruel, barbarous, oftentimes cowardly, yield to the principles of

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collective bargaining, and if carried too far in the estimation of the public, they yield to arbitration.

I have referred to the courts and the part they play in the treatment of strikes. The labor men of the country are up in arms against what is known as the writ of injunction. They admit the necessity of the writ, because they can see that it is the bulwark of law. It is the expeditious method to which courts resort when they wish to prevent an act, not simply because the act may be unlawful, but because it is feared it will result in the destruction of property or the loss of life or limb. The trade unionists do not object to the writ of injunction in cases where it is necessary to prevent some act not of itself illegal, or to save property and life and limb; but they do object, and strenuously, to its application to them during strikes. Where an employer fears a strike, or a strike has occurred and he fears that violence may ensue, he seeks an in-

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junction to restrain the strikers from committing the acts which the employer imagines may be committed.

This is the grievance of the unions, because the acts which the injunction aims to prevent, if committed, would subject the man or men committing them to criminal process. The underlying reason is that under an injunction the employees are restrained from doing those things which would prevent non-union men from taking the places of the strikers through picketing as it is known, or the intimidation of applicants, or the persuading of applicants from entering the works of the employer. This word "persuade" has achieved a significance not before belonging to it. One may persuade another by argument, and persuading has sometimes, many times, consisted of forcible arguments with fists and clubs. The injunction seeks to restrain men from persuading, while the unions want the law to define what persuading is, and say they ought not to be restrained

from what they call peaceful persuading.

The issue of restraining orders by courts of equity during times of strikes has developed during the past few years, so that injunctions in labor questions constitute a leading subject of the discussion, not only in legislatures, but in conventions and in the meetings of members of the bar. The Supreme Court of the United States has said: "Something more than the threatened commission of an offense against the laws of the land is necessary to call into exercise the injunctive powers of the courts. There must be some interference, actual or threatened, with property or rights of a pecuniary nature; but when such interferences appear, the jurisdiction of a court of equity arises."

It is upon this theory that it is possible to invoke the aid of a court of equity, and for the court to issue a preliminary or permanent injunction. Like most other matters of law in the United States, there has been little

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uniformity of practice in the development of equity procedure. In some states injunctions are issued more generally than in others, and in particular some of the Federal courts in the west have freely granted them under the mandatory provisions of the Sherman anti-trust act. This diversity of practice and its causes must be taken into account whenever the labor question is up for discussion.

Then there is the blanket injunction, such as that which was issued against Mr. Debs during the Chicago strike, which restrained certain persons from doing certain things, naming them, and then covering all other citizens. It was a sweeping restraining order which applied to you and to me as well as to Mr. Debs and his associates. The labor unions object to such a sweeping order. It was the injunction, however, in the Debs case which terminated the Chicago strike.

It is a most difficult and complicated question to be adjusted by statutory law,

but the moment you exempt one class of citizens from the action of the writ of injunction there is a violation of the constitution, which provides that there shall be no legislation benefiting one class of citizens as against another ; or, as we say popularly, such legislation would be class legislation. Yet there is probably some point where the law can come in for the purpose of defining the extent of the injunction, but not through discrimination of classes, because the government is instituted for the common good, for the protection, safety, and happiness of the people and not for the profit, honor or private interests of any one man or class of men. "No man, nor corporation or association of men, has any other title to obtain advantages, or particular and exclusive privileges distinct from those of the community, than what arises from the consideration of services rendered to the public."

This is the language of many of the constitutions in this country, and the principle of it must be carried out fully without ref-

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erence to industrial disputes. Without such principles all government is unstable, and the very men who seek to have law made for their especial benefit would find it reacting upon themselves if they could not resort to the law when conditions might be reversed.

. A new element in law, or rather a new expression of an old element, has come to the front which, if carried out, may work wonders in the prevention of strikes and boycotts, and that is, the responsibility of the individual members of the union for damages accruing through the collective action of the union. I take it that under the common law in this country where damages have resulted from the action of the union, individual members are responsible, the same as a member of a copartnership is responsible for the acts of his copartners. This feature of the common law has not been prominent, because the unions had no property and the individual members little or no property which could be attached in an action

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for damages. Recently through the great damage to a manufacturing concern in Connecticut resulting from a boycott ordered by some unions, the individual members were sued and wherever they had any property attachable under the law of that state, the property was attached.

The leading case of this kind, however, that has come up in recent years, was in England and was what is known as the Taff-Vale Railroad case, where certain damage was done to the property of the railroad by an association of employees, the organization having a large amount of money in its treasury and that the more interest they take in the establishment, in the economic employment of their time, and in the attention to little details, the more compensation they will receive.

It is a moral system rather than a purely economic one. It has had varying success and has met with some most disastrous failures. Its failures are always referred to when profit-sharing is under discussion, and yet

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if a rule be good the fact that some men undertaking to carry it out are not wise and the rule meets with failure, is not a very strong case against the rule itself. Yet there are cases where even this statement does not apply, as in the case of the Briggs Brothers in the north of England some years ago. They were working their mines in a community that was about as bad as a community could be. Drunkenness, theft, everything that was bad prevailed, and the Briggs Brothers sought for many years for some means of bringing order out of chaos and of securing the happiness of their people. Finally they adopted a scheme of profit-sharing, to which the miners agreed, and they lived in peace and plenty for ten years, when all at once through some agitation which I do not call to mind the men struck and the profit-sharing scheme ceased to exist.

A great house in Brooklyn some years ago made an agreement with its men that they should have once a year a certain per-

centage of the accrued profits. The men were to elect their own foreman and had certain other privileges, making an industrial democracy of the great establishment; but it was agreed that if a strike occurred among the men they should forfeit the accrued profits at that time. One morning in June, 1868, they were all in line in a parade accompanying a labor strike, and they forfeited for the privilege of parading \$46,000.

Nevertheless, in many, many cases in France, in England and in this country profit-sharing has been carried on on a large scale with great moral and economic results and an entire absence of strikes. The payment of bonuses and prizes belongs to the same system morally as profit-sharing, but the establishment of pension funds, or relief funds, has had a twofold effect in avoiding strikes. On some of the large railroads where relief funds are thoroughly organized, a man cannot secure employment unless he joins the relief fund or-

ganization, and his pension or his amount of relief in case of accident or otherwise would be forfeited should he leave the company or strike. Not all the railroads that have established such funds have this provision, but the men feel, while applauding the efforts of the company to provide relief in case of accident or sickness or old age, that they are bound in a certain way and cannot be free men ; that they must conform to certain rules which secure permanency of service, and thus they are irritated, not perhaps to the extent of indulging in a strike, but to the extent of making them discontented and uneasy.

However, this question of pension funds by great corporations is accomplishing much good and should receive the approval of all who desire to see strikes become matters of the past.

I believe that the great era of strikes which has existed in this country since about 1880 is passing away. I made a similar statement back in 1886 or 1887,

and the strikes have rolled up and increased in the volume which I have described ; and yet I believe that I was right when I made that statement. I made no limitation of time, I make no limitation of time now ; but I do believe that the good sense of the working men of this country, co-operating with the good sense and the wisdom of the employers of labor, will see to it that strikes do not occur and that the public is not discommoded.

A strike is uneconomical in every sense of the word, and all strikes for alleged economic reasons, while they may be justified from the point of view of the strikers, are uneconomic in their results. There is no form of strike, except that for the recognition of the union, which does not come into the economic category.

There is much misunderstanding relative to this expression "recognition of the union." The public means one thing by it, the employers and employees mean another. The public usually thinks

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it means simply this, that the employers shall recognize that the union exists, and has a right to exist, and shall continue its existence. The union means by its recognition that it shall have a part in the establishment of rules, wages, and conditions, and that it shall be recognized as a party in productive industry through the trade agreement.

So employers do not welcome any movement for the recognition of the union. They do not hesitate in many instances to indulge in the trade agreement as the result of the principle of collective bargaining, and whenever they enter such an agreement they do recognize the union and in the way the union means; but to put the matter broadly, employers are averse to the union's dictation of terms. I think that is human nature. We are all ready to confer and agree upon what shall be done, but we do not like to be ordered to do a certain thing.

The trade agreement, if approached

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properly, relieves the situation of such stress.

It will be seen from what I have said in this lecture on the treatment of strikes, that whatever the treatment is, it must be in the line of the practical application of religious principles. The trade agreement is this, conciliation is this, arbitration is this, but more can be secured by the individuals involved than by all the organized methods that can be invented.

We must recognize the principles of that old fable which covers the whole question of strikes, or of the relation of employer and employee.

“Once upon a time the other members of the body conspired against the stomach; they declared that they had all the work to do, while the stomach lay quietly in the middle of the body and enjoyed, without any labor, everything they brought to it. So they all quit work and determined to starve the stomach into submission. But soon they discovered that while they were starv-

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ing the stomach they, too, were being starved, and that the whole body was wasting away."

This old fable sums up the whole matter. The relations of employers and employees are not identical, as the economists describe them, but they are reciprocal, and being reciprocal we must recognize the principles of that old fable when discussing the question of strikes.

We are having our industrial, social, and political struggles. They are all evolutionary in their character and not questions, as I have intimated, of inauguration. Out of the industrial struggle there is growing what the late Henry D. Lloyd called a new political economy which looks first "to the care and the culture of men." In this lies what Drummond called "other selfishness." In it is to be found the hope of the future and that religion which shall hold in its power the church, industry, commerce, and the whole social fabric, and if religion does not hold these things, the hope is small in-

deed. Hope is infinite, but our knowledge is infinitesimal, so we must broaden our knowledge to meet the range of our hope.

We must recognize the struggle in all its phases as inspiration itself, and that with every new development we find confronting us the great wall of human elements. Whoever therefore aids the struggle, to soften, to reduce its asperities in all rational ways, is the friend of humanity. We must recognize further that with the adjustment of old problems with old conditions new ones grow, as did Vico's republic, and that the new conditions or problems will agitate the minds of posterity, as our problems have enlisted our sympathy and our efforts, and those of the past the efforts of our ancestors everywhere.

We must not be pessimistic. We must recognize the intelligence that is coming to the workers, the hewers of wood and the drawers of water, and that with intelligence and its increase there must be new problems,

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\$120,000 was ordered by the court in accordance with the decision of the Law Lords.

This decision excited a great deal of antagonism at the time but as it has been more calmly considered many labor leaders have come to the conclusion that it may be a good thing after all ; that with similar laws, making the employer liable for accidents occurring in his works, there would be greater discrimination in employment, more safety, and better conditions. But without reference to this purely sociological side of the matter it has the greatest bearing on the labor union. I take it that under the common law in this country where damages have resulted from the action of the union, individual members are responsible, the same as a member of a copartnership is responsible for the acts of his copartners. This feature of the common law has not been prominent, because the unions had no property and the individual members little or no property which could be attached in an action

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There are some economic methods that obtain in industrial matters which sometimes prevent strikes and secure fair industrial peace. Chief among these are profit-sharing, the payment of bonuses, prizes, and an organization of pension funds. Profit-sharing is not considered as an economic system having permanent value in it, yet there are those who believe that it offers the only way, or at least the chief way, out of industrial difficulties. It certainly enlists to some degree the loyalty of the employees, makes them feel that they are a part of the corporation or partnership and that the more interest they take in the establishment, in the economic employment of their time, and in the attention to little details, the more compensation they will receive.

It is a moral system rather than a purely economic one. It has had varying success and has met with some most disastrous failures. Its failures are always referred to when profit-sharing is under discussion, and yet

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